

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

3/30/2022

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE SPRINGS RANCH LLC PO BOX 2020 BOISE, ID 83701 (208) 429-9596
Original Owner	JON L BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	LARRY B BARNES PO BOX 2797 BOISE, ID 83701
Original Owner	LORI LOU BARNES GIRDNER TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	FRANK B BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	JULIE BARNES JOHNSTON TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	CHARLES CHENEY , ID
Previous Owner	BARNES VENTURES INC 5983 W STATE ST STE D BOISE, ID 83703 (208) 424-2022

Priority Date: 4/1/1900

Basis: Decreed

Status: Active

Source
ALDER CREEK

Tributary
SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

3/30/2022

IRRIGATION	04/01	11/01	0.650 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	1.1 AF
AESTHETIC	04/01	11/01	0.060 CFS	
Total Diversion			0.730 CFS	

Source and Point(s) of Diversion:

ALDER CREEK SWNE Sec. 2, Twp 08N, Rge 04E, BOISE County

Place Of Use:

STOCKWATER within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							X L5	X L6	X L6						X L7		

AESTHETIC within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							X L5		X L6	X L5	X	X			X L7	X L7	

IRRIGATION within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							10.0 L5	6.0 L6	35.0 L6	36.0 L5	11.0	18.0			17.0 L7	3.0 L7	136.0

Right Acre Limit: 26.50
POU Total Acres: 136.0

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. 004 This right does not grant any right-of-way or easement across the land of another.
4. X27 This right is limited to the irrigation of 28.6 acres within the place of use described above in a single irrigation season.
5. Rights 65-8850 and 65-11324 when combined shall not exceed 0.05 cfs for aesthetic use nor exceed 0.57 cfs for irrigation use, and shall not exceed the irrigation of 68.4 acres in a single irrigation season.
6. X35 Rights 65-5633, 65-5696, 65-8850 and 65-11324 when combined shall not exceed the irrigation of 290 acres in a single irrigation season.
7. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. 01J Prior to diversion of Alder Creek water under this right, the right holder shall install and maintain a measuring device and lockable controlling works acceptable to the Department to provide the watermaster suitable control at the

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

3/30/2022

- point of diversion.
9. When water is being diverted from the South Fork Payette River for irrigation purposes pursuant to right no. 63-11324, the holder of rights 65-8850 and 65-11324 shall physically separate water diverted, delivered, and used for irrigation under rights 65-8850 and 65-11324 to prevent it from being commingled with water diverted under rights 65-5633, 65-5696 and/or other irrigation water rights not appurtenant to the same place of use as rights 65-8850 and 65-11324. Water diverted pursuant to rights 65-8850 and 65-11324 shall only be used on the place of use expressly described and authorized for rights 65-8850 and 65-11324.
10. Rights 65-5633, 65-8850, 65-11324, 65-24121 & 65-24123 authorize the diversion and consumptive use of an annual total of up to 83 af for aesthetic and recreational uses to replace losses caused by evaporation from the 39 acre total surface area of 18-22 ponds and associated water features authorized under right 65-23105.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

- | | | | |
|---|-----------|-----------|-------------------|
| 1 | scurtis | 5/20/2008 | |
| Updated Shape | | | |
| 2 | cpadilla | 7/22/2009 | Transferred Right |
| This is now an approved transfer, transfer number = 73787 | | | |
| 3 | krayworth | 1/26/2017 | POU |
| Updated Shape | | | |
| 4 | krayworth | 1/27/2017 | POU |
| Updated Shape | | | |
| 5 | jhersley | 3/24/2022 | POU |
| Updated Shape | | | |
| 6 | jhersley | 3/24/2022 | Split Right |
| Split into 65-8850 & 65-24121 due to a change in ownership. | | | |

Dates and Other Information:

Decreed Date: 4/11/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

3/30/2022

Water District Number: 65
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

Rate

Volume

Acres

Water Rights

290.0

65-5633 ,65-5696 ,65-
8850 ,65-11324 ,65-
24121 ,65-24123
65-8850 ,65-11324

28.6

SubCase:

SubCaseNumber: 65-8850

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 9/8/2000

Objection Status: Withdrawn or Dismissed

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES

8/3/2021

Water Right 65-8850

Before Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE SPRINGS RANCH LLC PO BOX 2020 BOISE, ID 83701 (208) 429-9596
Original Owner	JON L BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	LARRY B BARNES PO BOX 2797 BOISE, ID 83701
Original Owner	LORI LOU BARNES GIRDNER TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	FRANK B BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	JULIE BARNES JOHNSTON TRUST PO BOX 2797 BOISE, ID 83701 (208) 345-7515
Original Owner	CHARLES CHENEY , ID
Previous Owner	BARNES VENTURES INC 5983 W STATE ST STE D BOISE, ID 83703 (208) 424-2022

Priority Date: 4/1/1900**Basis:** Decreed**Status:** Active**Source**
ALDER CREEK**Tributary**
SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.190 CFS	
STOCKWATER	01/01	12/31	0.060 CFS	3.3 AF
AESTHETIC	04/01	11/01	0.320 CFS	
	<u>Total Diversion</u>		2.570 CFS	

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

8/3/2021

Source and Point(s) of Diversion

ALDER CREEK

SWNE

Sec. 2, Twp 08N, Rge 04E, BOISE County

Place Of Use

STOCKWATER within BOISE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							X	X	X					X			
									L5	L6	L6					L7			

AESTHETIC within BOISE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							X		X	X	X	X		X	X		
									L5		L6	L5				L7	L7		

IRRIGATION within BOISE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	35							10.0	6.0	35.0	36.0	11.0	18.0		17.0	3.0		136.0
									L5	L6	L6	L5				L7	L7		

Right Acre Limit: 90.0

POU Total Acres: 136.0

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. 004 This right does not grant any right-of-way or easement across the land of another.
4. X27 This right is limited to the irrigation of 97 acres within the place of use described above in a single irrigation season.
5. Rights 65-8850 and 65-11324 when combined shall not exceed 0.26 cfs for aesthetic use nor exceed 1.94 cfs for irrigation use, and shall not exceed the irrigation of 97 acres in a single irrigation season.
6. X35 Rights 65-5633, 65-5696, 65-8850 and 65-11324 when combined shall not exceed the irrigation of 290 acres in a single irrigation season.
7. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. 01J Prior to diversion of Alder Creek water under this right, the right holder shall install and maintain a measuring device and lockable controlling works acceptable to the Department to provide the watermaster suitable control at the point of diversion.
9. When water is being diverted from the South Fork Payette River for irrigation purposes pursuant to right no. 63-11324, the holder of rights 65-8850 and 65-11324 shall

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

8/3/2021

physically separate water diverted, delivered, and used for irrigation under rights 65-8850 and 65-11324 to prevent it from being commingled with water diverted under rights 65-5633, 65-5696 and/or other irrigation water rights not appurtenant to the same place of use as rights 65-8850 and 65-11324. Water diverted pursuant to rights 65-8850 and 65-11324 shall only be used on the place of use expressly described and authorized for rights 65-8850 and 65-11324.

10. Rights 65-5633, 65-8850, and 65-11324 authorize the diversion and consumptive use of an annual total of up to 83 af for aesthetic and recreational uses to replace losses caused by evaporation from the 39 acre total surface area of 18-22 ponds and associated water features authorized under right 65-23105.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

1. scurtis 5/20/2008
Updated Shape
2. cpadilla 7/22/2009 Transferred Right
This is now an approved transfer, transfer number = 73787
3. krayworth 1/26/2017 POU
Updated Shape
4. krayworth 1/27/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 4/11/2002
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Water District Number: 65
 Generic Max Rate Per Acre: 0.020
 Generic Max Volume Per Acre: 3.5
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
65-5633 ,65-5696 ,65-8850 ,65-11324		290.0
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
65-8850 ,65-11324		97.0

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-8850

8/3/2021

SubCase:

SubCaseNumber: 65-8850

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 9/8/2000

Objection Status: Withdrawn or Dismissed

Water Supply Bank:

N/A