

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/22/2021

Water Right 47-140
WR Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ISE 555 BROADWAY LLC PO BOX 267 GALENA, MD 21635-0267 (410) 755-6373
Original Owner	ROCK CREEK FARMS C/O MCCALL & DUNFORD PO BOX 1598 TWIN FALLS, ID 83303 (208) 734-6622
Original Owner	WINDING BROOK CORP C/O RODNEY H MOORE PO BOX 53 NAMPA, ID 83653-0053 (208) 466-0419
Original Owner	VAN DIEST FAMILY PARTNERSHIP ROCK CREEK RANCH 2872 ROCK CREEK RD HANSEN, ID 83334 (208) 423-4211
Previous Owner	LUIS M BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208) 536-6182
Previous Owner	L & S LAND HOLDINGS LLC 2930 S 2300 E WENDELL, ID 83355-3150 (208) 536-6148

Priority Date: 5/31/1874

Basis: Decreed

Status: Active

Source
ROCK CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.390 CFS	
	<u>Total Diversion</u>		0.390 CFS	

Source and Point(s) of Diversion

ROCK CREEK	SWSWSW	Sec. 1, Twp 12S, Rge 18E, TWIN FALLS County
------------	--------	---

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/22/2021

ROCK CREEK

NWNESW

Sec. 1, Twp 12S, Rge 18E, TWIN FALLS County

Place Of Use

IRRIGATION within TWIN FALLS 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	
11S	18E	36												19.0		8.0	40.0	40.0	107.0
12S	18E	1	40.0	40.0	21.0	28.0	38.0	5.0	25.0	24.0									221.0
			L1	L2			L3	L4											

Right Acre Limit: 81.0

POU Total Acres: 328.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 328 acres in a single irrigation season. Combined Right Nos.: 47-157A, 47-140, 47-141, 47-142, 47-143, 47-2491, 47-2511, 47-2546, 47-2566
3. K06 This right is limited to the irrigation of 81 acres within the place of use described above in a single irrigation season.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
5. E55 Right Nos. 47-140 and 47-141 are limited to the irrigation of a combined total of 81 acres in a single irrigation season.
6. E55 Right Nos. 47-157A, 47-140, 47-141, 47-143, 47-2491, 47-2511 and 47-2566 are limited to the irrigation of a combined total of 198.7 acres in a single irrigation season.
7. E56 The rights listed below are limited to the irrigation of a combined total of 1,479 acres in a single irrigation season. Combined Right Nos.: 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-8379, and 47-16392.

Comments:

1. akriwox 6/12/2006 POU
According to 1964, 1969, 1987, & 1992 imagery...84 irrigated acres w/in decreed POU of 47-140. 84 acres will be recommened w/in the PPU of 340 acres.
2. akriwox 6/12/2006 PPU
Claimed PPU 455 acres but based on imagery from 1964-1992, as well as tax lot ownership information, only 340 acres of actual irrigation can be recognized within that claimed PPU.
3. akriwox 6/12/2006 pdate
Decreed priority date as well as date on water right is May 31, 1874..claimed date is May 30...cannot recommend as claimed.
4. jbitzenburg 2/18/2021 Split Right
Split into 47-17734.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/22/2021

5. jbitzenburg 2/18/2021 POU
Updated Shape

Dates and Other Information

Decreed Date: 3/31/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 47O
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1,491.0

47-2554 ,47-2557 ,47-2552 ,47-2536 ,47-2556 ,47-16392 ,47-8379 ,47-2526 ,47-127A
,47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		206.0

47-157A ,47-140 ,47-141 ,47-143 ,47-2491 ,47-2511 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		340.0

47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		84.0

47-140 ,47-141

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	6,020.0	1,505.0

47-7673 ,47-2554 ,47-2557 ,47-2552 ,47-2536 ,47-2556 ,47-16392 ,47-8379 ,47-2526
,47-127A ,47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

SubCase:

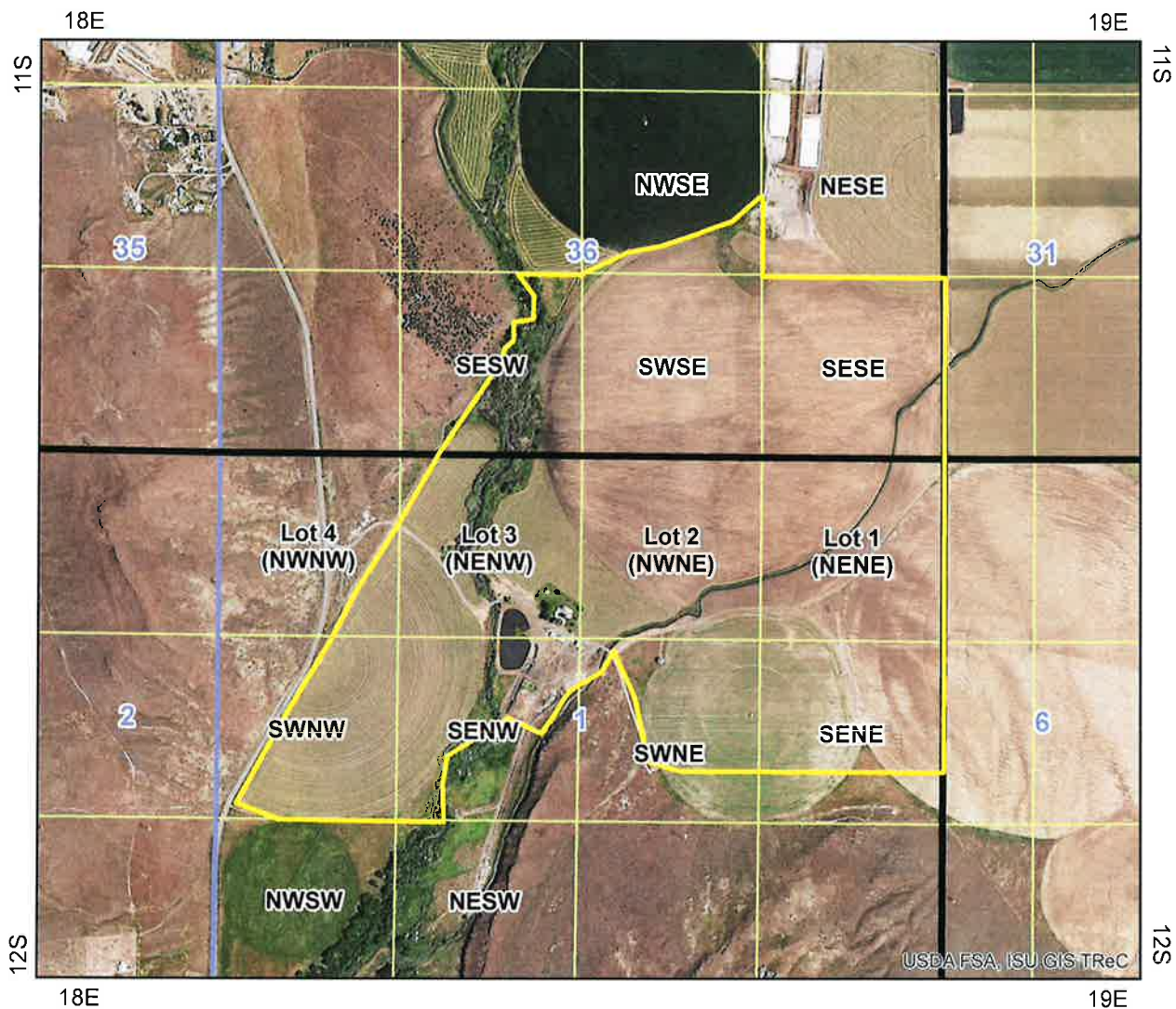
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 47-140, 47-141, 47-142,
47-143, 47-157A, 47-2491, 47-2511,
47-2546, & 47-2566 Map
AFTER Ownership Change Split**



0 0.15 0.3 0.6 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/10/2021

Water Right 47-140
WR Report BEFORE Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ISE 555 BROADWAY LLC PO BOX 267 GALENA, MD 21635-0267 (410) 755-6373
Original Owner	WINDING BROOK CORP C/O RODNEY H MOORE PO BOX 53 NAMPA, ID 83653-0053 (208) 466-0419
Original Owner	ROCK CREEK FARMS C/O MCCALL & DUNFORD PO BOX 1598 TWIN FALLS, ID 83303 (208) 734-6622
Original Owner	VAN DIEST FAMILY PARTNERSHIP ROCK CREEK RANCH 2872 ROCK CREEK RD HANSEN, ID 83334 (208) 423-4211
Previous Owner	LUIS M BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 (208) 536-6182
Previous Owner	L & S LAND HOLDINGS LLC 2930 S 2300 E WENDELL, ID 83355-3150 (208) 536-6148

Priority Date: 5/31/1874

Basis: Decreed

Status: Active

Source
ROCK CREEK

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
03/15	11/15	0.400 CFS
<u>Total Diversion</u>		0.400 CFS

Volume

Source and Point(s) of Diversion

ROCK CREEK	SWSWSW	Sec. 1, Twp 12S, Rge 18E, TWIN FALLS County
------------	--------	---

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/10/2021

ROCK CREEK

NWNESW

Sec. 1, Twp 12S, Rge 18E, TWIN FALLS County

Place Of Use

IRRIGATION within TWIN FALLS 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	
11S	18E	36												19.0		20.0	40.0	40.0	119.0
12S	18E	1	40.0 L1	40.0 L2	21.0	28.0	38.0 L3	5.0 L4	25.0	24.0									221.0

Right Acre Limit: 84.0

POU Total Acres: 340.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 340 acres in a single irrigation season. Combined Right Nos.: 47-157A, 47-140, 47-141, 47-142, 47-143, 47-2491, 47-2511, 47-2546, 47-2566
3. K06 This right is limited to the irrigation of 84 acres within the place of use described above in a single irrigation season.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
5. E55 Right Nos. 47-140 and 47-141 are limited to the irrigation of a combined total of 84 acres in a single irrigation season.
6. E55 Right Nos. 47-157A, 47-140, 47-141, 47-143, 47-2491, 47-2511 and 47-2566 are limited to the irrigation of a combined total of 206 acres in a single irrigation season.
7. E56 The rights listed below are limited to the irrigation of a combined total of 1,491 acres in a single irrigation season. Combined Right Nos.: 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-8379, and 47-16392.

Comments:

1. akriwox 6/12/2006 POU
According to 1964, 1969, 1987, & 1992 imagery...84 irrigated acres w/in decreed POU of 47-140. 84 acres will be recommened w/in the PPU of 340 acres.
2. akriwox 6/12/2006 PPU
Claimed PPU 455 acres but based on imagery from 1964-1992, as well as tax lot ownership information, only 340 acres of actual irrigation can be recognized within that claimed PPU.
3. akriwox 6/12/2006 pdate
Decreed priority date as well as date on water right is May 31, 1874..claimed date is May 30...cannot recommend as claimed.

Dates and Other Information

Decreed Date: 3/31/2010

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/10/2021

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 47O
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1,491.0

47-2554 ,47-2557 ,47-2552 ,47-2536 ,47-2556 ,47-16392 ,47-8379 ,47-2526 ,47-127A
,47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		206.0

47-157A ,47-140 ,47-141 ,47-143 ,47-2491 ,47-2511 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		340.0

47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		84.0

47-140 ,47-141

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	6,020.0	1,505.0

47-7673 ,47-2554 ,47-2557 ,47-2552 ,47-2536 ,47-2556 ,47-16392 ,47-8379 ,47-2526
,47-127A ,47-157A ,47-140 ,47-141 ,47-142 ,47-143 ,47-2491 ,47-2511 ,47-2546 ,47-2566

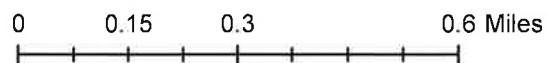
SubCase:

N/A

Water Supply Bank:

N/A

**Water Rights 47-140, 47-141, 47-142, 47-143,
47-157A, 47-2491, 47-2511, 47-2566, & 47-2546
Map BEFORE Ownership Change Split**



- 