

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 23-11489

12/4/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ADAM D KORTH 525 N 3200 E MENAN, ID 83434-5075 (208) 390-6967
Current Owner	ASHLEE M KORTH 525 N 3200 E MENAN, ID 83434-5075 (208) 390-6967
Original Owner	THE ROGER H BALL ANNUITY TRUST #1 DBA SWAN VALLEY RANCH LLC PO BOX 1491 IDAHO FALLS, ID 83403-1491 (208) 524-5454
Previous Owner	ROGER H BALL 2235 E 25TH ST IDAHO FALLS, ID 83404 (208) 524-5454
Previous Owner	SWAN VALLEY FARMS LLC C/O DOUG NELSON PO BOX 51630 IDAHO FALLS, ID 83405-1630 (480) 348-1600
Representative	SPF WATER ENGINEERING LLC C/O TERRY SCANLAN 300 E MALLARD DR STE 350 BOISE, ID 83706-6660 (208) 383-4140

Priority Date: 4/1/1987

Basis: Decreed

Status: Active

Source
PALISADES CREEK

Tributary
SNAKE RIVER

Beneficial Use

IRRIGATION

From **To**
04/15 10/31

Diversion Rate

1.500 CFS

Volume

Total Diversion

1.500 CFS

Source and Point(s) of Diversion

PALISADES CREEK

SWSWSE

Sec. 26, Twp 01N, Rge 44E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE County

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Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	44E	15											24.0						24.0
01N	44E	16	30.0	39.0	39.0	39.0									39.0	40.0	40.0	40.0	306.0
01N	44E	21	34.9	38.0															72.9

Right Acre Limit: 72.8

POU Total Acres: 402.9

Conditions of Approval:

1. K09 This right is for an enlargement of 72.8 acres within the place of use described for this right.
2. X35 Rights 23-11488 and 23-11489 when combined shall not exceed a total diversion rate of 1.6 cfs and the irrigation of 150.9 acres.
3. X35 Rights 23-11487, 23-11488, 23-11489, 23-11490 & 23-11491 when combined shall not exceed a total diversion rate of 6.53 cfs and the irrigation of 402.9 acres.
4. 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. 01.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. K02 This right is based upon an enlargement of Right No. 23-11488 pursuant to Section 42-1426, Idaho Code.
8. F01 Water is delivered through Palisades Irrigation Canal.
9. Use of this right is combined with water from Palisades Irrigation Co.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
11. 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.
12. 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.
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. jhersley 12/4/2020 POU
Updated Shape
2. jhersley 12/4/2020 Split Right
This right is the result of split from 23-11406 due to change of ownership to Korth.

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Dates and Other Information

Decreed Date: 1/31/2005
Civil Case Number: 39576
Judicial District: FIFTH
Owner Name Connector: AND
Water District Number: 01
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>
6.530		402.9
23-11487 ,23-11488 ,23-11489 ,23-11490 ,23-11491		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.600		150.9
23-11488 ,23-11489		

SubCase:

N/A

Water Supply Bank:

N/A