

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/18/2020

Water Right 43-371
Water Right Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RYAN HAWKER PO BOX 433 ELBA, ID 83342 (208) 638-5584
Original Owner	CHARLES VAN KIRK , ID

Priority Date: 4/30/1880
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GREEN CREEK	CROSS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.200 CFS	
	<u>Total Diversion</u>		0.200 CFS	

Source and Point(s) of Diversion
GREEN CREEK NWSWSE Sec. 11, Twp 14S, Rge 24E, CASSIA County

Place Of Use
IRRIGATION within CASSIA 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	
14S	25E	7	13.4			6.1													19.5

Right Acre Limit: 19.5

POU Total Acres: 19.5

Conditions of Approval:

1. E62 WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-371, 43-475, 43-7107, 43-10594, AND 43-10320.
2. B01 SOURCE IS ALSO KNOWN AS GREEN CANYON CREEK
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 20.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-371, 43-475, 43-7107, 43-10594, AND 43-10320.
4. 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.

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Comments:

1. amerritt 1/7/2011 POD
PODID 396207 correlated from SpatialDataID 203475 to SpatialDataID 426560
2. nerickson 4/14/2016 Tributary
SRBA decree for this right lists Green Creek tributary to Dry Creek. Several other SRBA decrees from Green Creek at this location list Green Creek tributary to Cross Creek, record was updated to be consistent with other water rights.
3. jbitzenburg 8/17/2020 Split Right
Split into 43-13884.
4. jbitzenburg 8/17/2020 POU
Updated Shape
5. jbitzenburg 8/18/2020 2005 Ownership Change Adjustment
This right was included in the 2005 Ownership Change from Ryan Hawker to Ruel and Kathryn Barker, but was not split. Split was completed on 8/17/2020 and the child portion of this right is 43-13884 (Barker).

Dates and Other Information

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43C
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
43-371 ,43-475 ,43-7107 ,43-10320 ,43-10594		20.7

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 43-371 & 43-475 Map
AFTER Ownership Change Split**



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

0 0.045 0.09 0.18 Miles



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Water Right 43-371
WR Report BEFORE Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUEL M BARKER 1621 W 950 N PROVO, UT 84604-3005
Current Owner	KATHRYN H BARKER 1621 W 950 N PROVO, UT 84604-3005 (801) 375-7237
Original Owner	CHARLES VAN KIRK , ID
Previous Owner	RYAN HAWKER PO BOX 433 ELBA, ID 83342 (208) 638-5584

Priority Date: 4/30/1880

Basis: Decreed

Status: Active

Source
GREEN CREEK

Tributary
CROSS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.300 CFS	
	<u>Total Diversion</u>		1.300 CFS	

Source and Point(s) of Diversion

GREEN CREEK NWSWSE Sec. 11, Twp 14S, Rge 24E, CASSIA County

Place Of Use

IRRIGATION within CASSIA 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	
14S	25E	6													33.0			40.0	73.0
14S	25E	7	32.0			24.0													56.0

Right Acre Limit: 129.0

POU Total Acres: 129.0

Conditions of Approval:

1. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-232A, 43-371, 43-475, 43-7107, 43-10594, AND

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2. E62 43-10320 WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-232A, 43-371, 43-475, 43-7107, 43-10594, AND 43-10320.
3. 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.
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Dates and Other Information

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43C
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
43-371 ,43-475 ,43-232A ,43-7107 ,43-10320 ,43-10594		201.0
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
43-371 ,43-475 ,43-232A ,43-7107 ,43-10320 ,43-10594		209.0

SubCase:

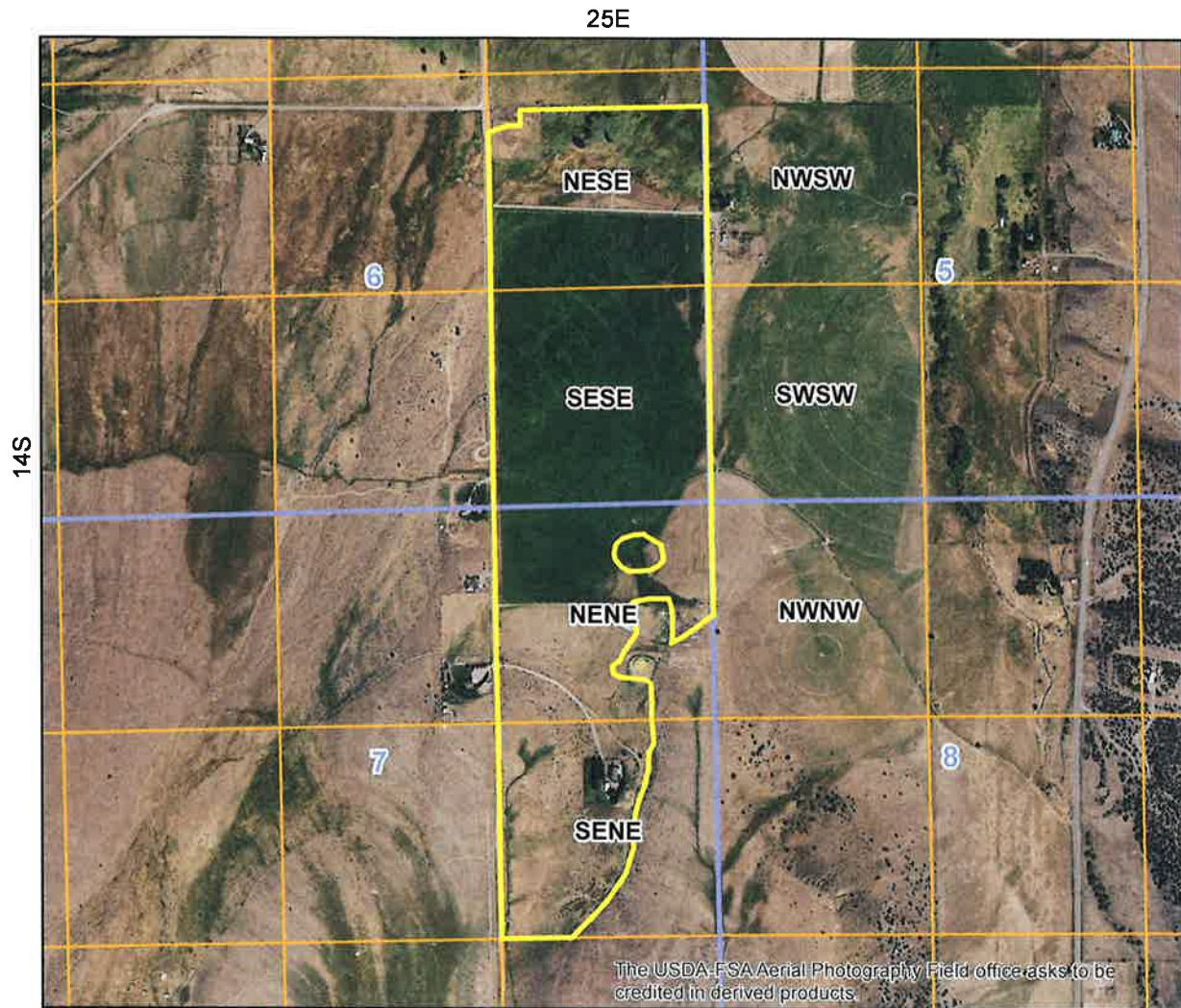
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right 43-371 Map BEFORE Ownership Change Split



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

0 0.125 0.25 0.5 Miles

