

* Before Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/13/2020

Water Right 61-12283

Owner Type **Name and Address**
Current Owner SHEKINAH INDUSTRIES INC
ATTN: MICHAEL PRESTON
420 BITTERROOT DR
BOISE, ID 83709
(208) 859-3669

Priority Date: 4/30/1974

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.240 CFS	
	Total Diversion		0.240 CFS	

Source and Point(s) of Diversion

GROUND WATER	NWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWNE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWNE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NENW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWNW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SENW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWNW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County

Place Of Use

IRRIGATION within ELMORE 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	
01S	04E	14									40.0	40.0	40.0	40.0					160.0
01S	04E	23		7.0	7.0		40.0	22.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	476.0

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01S	04E	24									12.0	40.0	40.0	37.0					129.0
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Right Acre Limit: 14.0

POU Total Acres: 765.0

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. 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.
3. 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.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. 196 The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. 020 The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
12. X27 This right is for an enlargement of 14 acres within the place of use described above.
13. K01 Right 61-12283 is an enlargement of Right 61-12284 pursuant to Section 42-1426, Idaho Code.
14. 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.

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- As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
15. Rights 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 1.61 cfs, a total annual maximum diversion volume of 380 af at the field headgate, and the irrigation of 95 acres.
 16. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.40 cfs and the irrigation of 183 acres.
 17. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 948 af at the field headgate, and the irrigation of 237 acres.
 18. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 1112 af at the field headgate, and the irrigation of 278 acres.
 19. X35 Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 5.56 cfs, a total annual maximum diversion volume of 1476 af, a total annual maximum consumptive use volume of 1092 af, and the irrigation of 369 acres in a single irrigation season.
 20. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
 21. F06 The following rights are diverted through points of diversion described above: 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285.

Comments:

1. meely 1/21/2016 Transferred Right
This is now an approved transfer. Transfer Number = 78356

Dates and Other Information

Decreed Date: 2/27/2003
Enlargement Statute Priority Date: 4/12/1994
State or Federal: S
Water District Number: 161
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

* After Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/20/2020

Water Right 61-12283

Owner Type
Current Owner
Name and Address
SHEKINAH INDUSTRIES INC
ATTN: MICHAEL PRESTON
420 BITTERROOT DR
BOISE, ID 83709
(208) 859-3669

Split to: 61-12345
61-12351
61-12357

Priority Date: 4/30/1974

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.170 CFS	
	Total Diversion		0.170 CFS	

Source and Point(s) of Diversion

GROUND WATER	NWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 14, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWNE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWNE	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 24, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NENW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWNW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWNW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NESW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	NWSW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SESW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County
GROUND WATER	SWSW	Sec. 23, Twp 01S, Rge 04E,	ELMORE County

Place Of Use

IRRIGATION within ELMORE 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	
01S	04E	14									0.2								0.2
01S	04E	23		3.0	7.0		18.0	22.0	40.0	40.0	40.0	40.0			40.0	40.0	20.0	40.0	350.0

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01S	04E	24									12.0	40.0	40.0	37.0					129.0
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Right Acre Limit: 9.7

POU Total Acres: 479.2

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
2. 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.
3. 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.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under this right, the right holder shall install a flow measurement and volume totalizing device of a type approved by the Department on each point of diversion to measure flow and volume of water diverted.
7. 196 The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
8. 020 The diversion and use of water described in Transfer 78356 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
9. Diversion and use of water in connection with this right is subject to a Monitoring-Reporting Plan. The right holder shall provide the Department with a plan for monitoring-reporting aquifer levels, diversion flow rates, and volumes. The monitoring-reporting should occur in parallel with land development and production and should include identification of non-production wells and timelines for measuring and reporting. The right holder shall not divert water in connection with this right until the plan is approved by the Department. Failure to comply with the plan once it is accepted shall be cause for the Department to cancel or revoke the right.
10. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 61-12090 in the event of priority administration of water rights with points of diversion within administrative Basin 61.
11. Water rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 shall be subordinated to 63-32499 in the event of priority administration of water rights with points of diversion within administrative Basin 63.
12. X27 This right is for an enlargement of 9.67 acres within the place of use described above.
13. K01 Right 61-12283 is an enlargement of Right 61-12284 pursuant to Section 42-1426, Idaho Code.
14. 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.

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Proof Report

3/20/2020

- As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
15. Rights 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 1.11 cfs, a total annual maximum diversion volume of 263 af at the field headgate, and the irrigation of 65.7 acres.
16. Rights 61-12280, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 1.66 cfs and the irrigation of 127 acres.
17. Rights 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.64 cfs, a total annual maximum diversion volume of 656 af at the field headgate, and the irrigation of 164 acres.
18. Rights 61-12280, 61-12281, 61-12282, 61-12283 and 61-12284 when combined shall not exceed a total diversion rate of 2.64 cfs, a total annual maximum diversion volume of 769 af at the field headgate, and the irrigation of 192 acres.
19. X35 Rights 61-12280, 61-12281, 61-12282, 61-12283, 61-12284 and 61-12285 when combined shall not exceed a total diversion rate of 3.85 cfs, a total annual maximum diversion volume of 1020 af, a total annual maximum consumptive use volume of 755 af, and the irrigation of 255 acres in a single irrigation season.
20. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
21. F06 The following rights are diverted through points of diversion described above:
61-12280, 61-12281, 61-12282, 61-12283, 61-12284, 61-12285, 61-12342, 61-12343, 61-12344, 61-12345, 61-12346, 61-12347, 61-12348, 61-12349, 61-12350, 61-12351, 61-12352, 61-12353, 61-12354, 61-12355, 61-12356, 61-12357, 61-12358, 61-12359.

Comments:

- | | | | |
|---|---------|-----------|-------------------|
| 1. | rneely | 1/21/2016 | Transferred Right |
| This is now an approved transfer. Transfer Number = 78356 | | | |
| 2. | AKaiser | 3/13/2020 | Split Right |
| Split into 61-12345. | | | |
| 3. | AKaiser | 3/13/2020 | POU |
| Updated Shape | | | |
| 4. | AKaiser | 3/17/2020 | Split Right |
| Split into 61-12351. | | | |
| 5. | AKaiser | 3/18/2020 | POU |
| Updated Shape | | | |
| 6. | AKaiser | 3/19/2020 | Split Right |
| Split into 61-12357. | | | |
| 7. | AKaiser | 3/19/2020 | POU |
| Updated Shape | | | |

Dates and Other Information

Decreed Date: 2/27/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/20/2020

Enlargement Statute Priority Date: 4/12/1994
State or Federal: S
Water District Number: 161
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

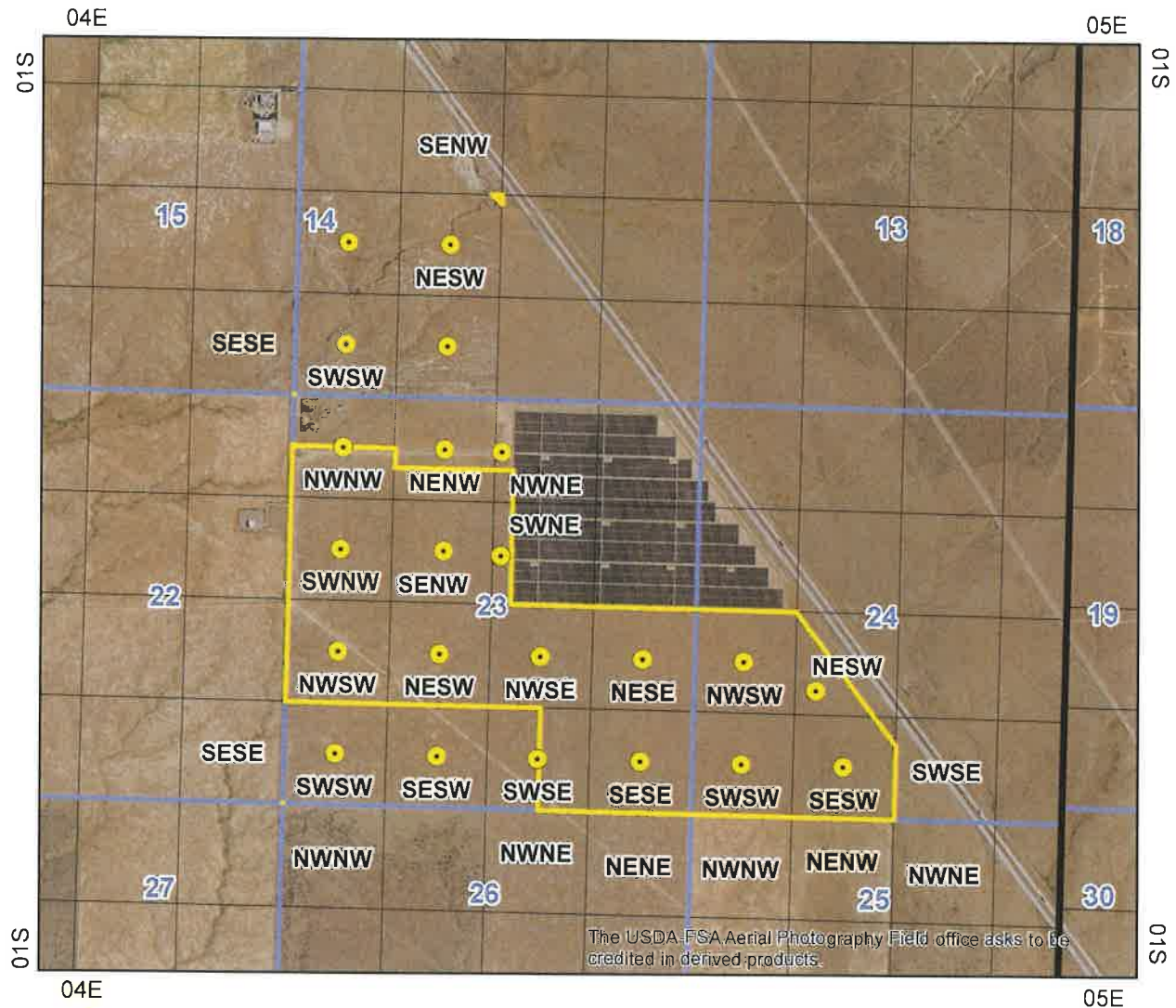
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right After Split

61-12283

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.275 0.55 1.1 Miles

