

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-34875**

4/2/2020

**Owner Type**      **Name and Address**  
Current Owner      KIMBERLAND LLC  
2275 E MOZART CT  
MERIDIAN, ID 83646-1124

Original Owner      LEWIS MC KELLIP  
18120 DEAN LN  
NAMPA, ID 83687  
(208) 466-6819

Original Owner      ANNE MC KELLIP  
18120 DEAN LN  
NAMPA, ID 83687  
(208) 466-6819

Original Owner      MC KELLIP FARMS INC  
C/O LEWIS MC KELLIP  
18120 DEAN LN  
NAMPA, ID 83687  
(208) 466-6819

**Priority Date:** 2/7/1977

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

<b><u>Beneficial Use</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Volume</u></b>
IRRIGATION	03/15	11/15	0.700 CFS	157.5 AF
	<b><u>Total Diversion</u></b>		0.700 CFS	157.5 AF

**Source and Point(s) of Diversion**

GROUND WATER	NWSWSE	Sec. 36, Twp 04N, Rge 02W,	CANYON County
GROUND WATER	NESWNW	Sec. 36, Twp 04N, Rge 02W,	CANYON County
GROUND WATER	NENENW	Sec. 36, Twp 04N, Rge 02W,	CANYON County
GROUND WATER	NESESE	Sec. 36, Twp 04N, Rge 02W,	CANYON County

**Place Of Use**

IRRIGATION within CANYON 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	
04N	02W	36															17.0	18.0	35.0

POU Total Acres: 35.0

**Conditions of Approval:**

1. T04 Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-34875**

4/2/2020

2. 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.
3. 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.
4. T07 The right holder shall accomplish the change authorized by Transfer No. 4662 within one (1) year of the date of the approval.
5. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
6. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
8. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. Commercial use is for a mint still.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.
11. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the department.

**Comments:**

1. jhersley 4/1/2020 POU  
Updated Shape
2. jhersley 4/1/2020 Split Right  
This right is the result of split from 63-8423 due to change in ownership.

**Dates and Other Information**

Decreed Date: 4/3/2009  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: OR  
Water District Number: TBD  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-34875

4/2/2020

**Water Supply Bank:**

N/A