

MEMO

TO: Water Right Files 1-2077, 1-2078, 1-10549, 1-10550, 1-10551, 1-10552, 1-10553
35-7744, 35-13642, 35-13643 and 35-13644

FROM: James Cefalo JC

DATE: June 3, 2019

RE: Revised Water Right Splits

During the processing of Application for Transfer 82456, IDWR staff discovered multiple errors in previously-completed ownership splits for water rights 1-2077, 1-2078 and 35-7744. The rights had been split multiple times since 2002/2007, when partial decrees were issued in the SRBA. The partial decrees for water rights 1-2077 and 1-2078 described a combined 220 irrigated acres. The partial decree for water right 35-7744 described a 329-acre irrigation place of use. Together, the three rights were limited to 329 irrigated acres. The 329-acre place of use was divided into multiple pieces and the water rights were split multiple times.

At the time Application for Transfer 82456 was filed, the entire 329-acre place of use was owned by one person (Johnny Burr) under two separate entities: Jefferson Farms LLC and IRA Resources. The transfer application provided an opportunity to correct the errors in the splits and simplify the water rights on the properties.

Prior to the transfer approval, each of the original water rights was consolidated into two parts. Water rights 1-2077, 1-2078 and 35-7744 are owned by Jefferson Farms, LLC. Water rights 1-10548, 1-10551 and 35-13642 (the only remaining split portions) are owned by IRA Resources. The remaining water right numbers (created by splits over the years) are no longer needed and were change to "See Remarks." The right numbers that were eliminated are 1-10549, 1-10550, 1-10552, 1-10553, 35-13643 and 35-14644.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 01-02077

NAME AND ADDRESS: BRAZO VALLEY FARMS
C/O BURLEIGH TOMCHAK
ROBERTS, ID 83444

BURLEIGH TOMCHAK
202 BASSETT RD
ROBERTS, ID 83444

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/24/1949

POINT OF DIVERSION: T04N R37E S03 LOT 14 (NWSW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.00 CFS

PLACE OF USE:	Irrigation	Within Jefferson County
	T04N R37E S04 LOT 1 (NENE)40.0 LOT 2 (NWNE)40.0	
	SWNE 40.0 SENE 40.0	
	NWSE 30.0 SWSE 30.0	
	220.0 Acres Total	

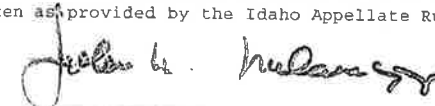
Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 220 acres in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 329 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



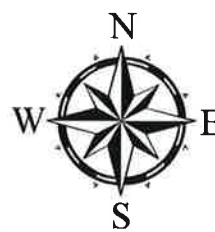
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

1-2077 Deceased Place of Use



Legend

-  Water Right POU
-  Township/Range
-  Sections
-  QQ



0 0.125 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 1-2077 (As Corrected)

Owner Type **Name and Address**
Current Owner JEFFERSON FARMS LLC
 3916 E JUNE ST
 MESA, AZ 85205
 (502) 684-2147

Priority Date: 5/24/1949

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.900 CFS	
	<u>Total Diversion</u>		1.900 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON County

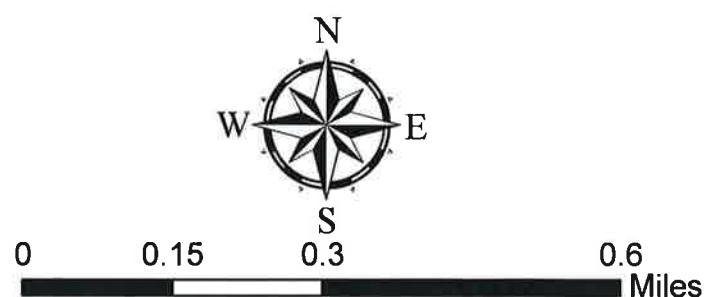
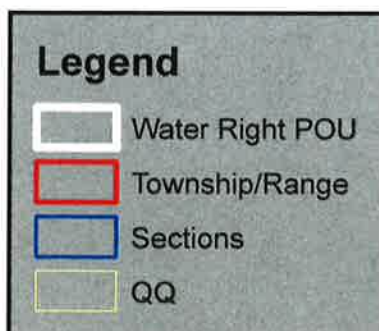
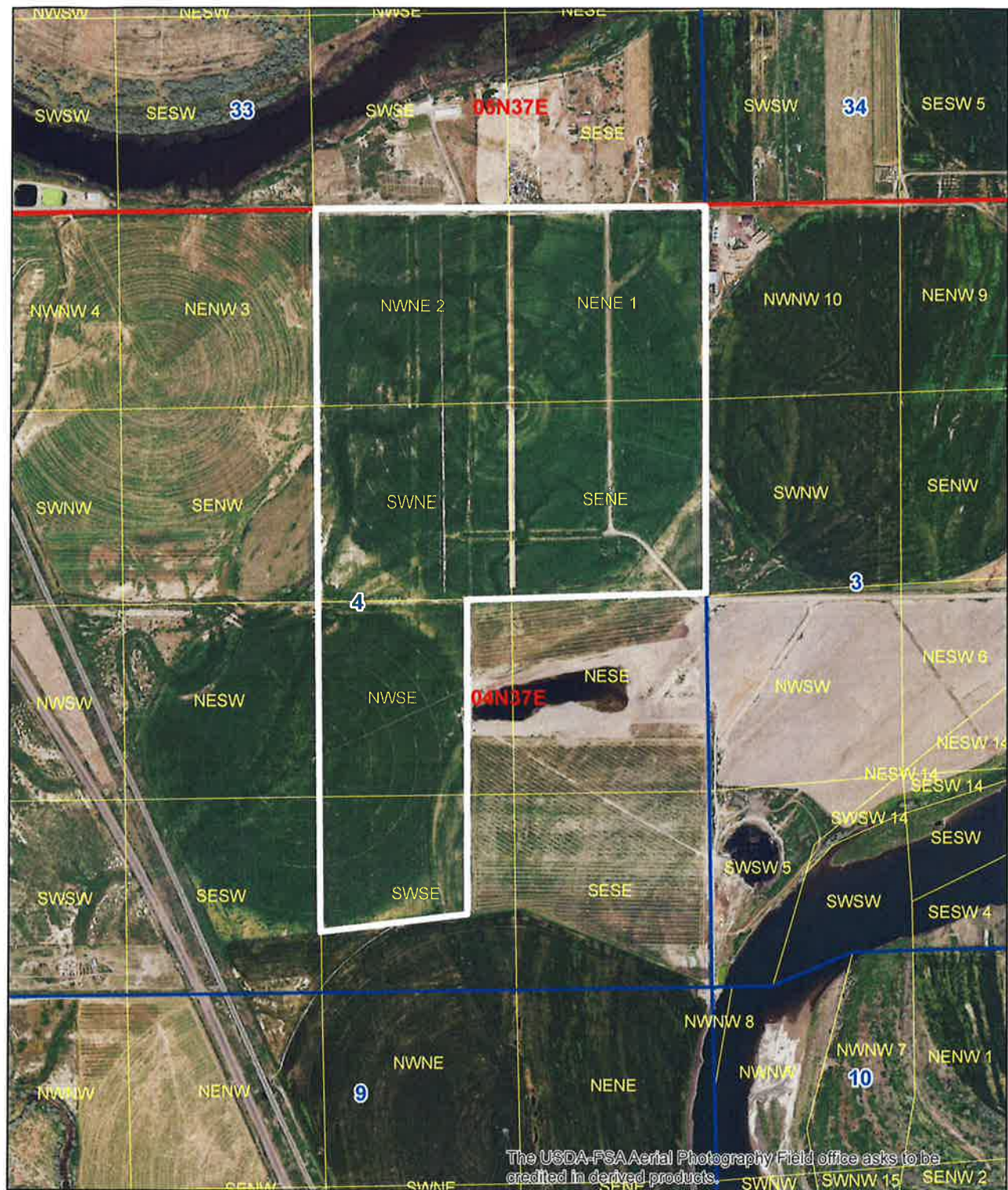
			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	4	40.0	40.0	40.0	40.0										30.0	19.5		209.5

POU Total Acres: 209.5

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. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
5. E55 Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 209.5 acres in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 307.5 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744.
7. F01 Water is delivered through Tomchak B pump #1.

1-2077 Post-Ownership Change Place of Use



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 1-10548 (As Corrected)

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IRA RESOURCES INC FBO JOHNNIE DARREL BURR IRA 35-36016 3916 E JUNE ST MESA, AZ 85205 (602) 684-2147

Priority Date: 5/24/1949

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.100 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON County

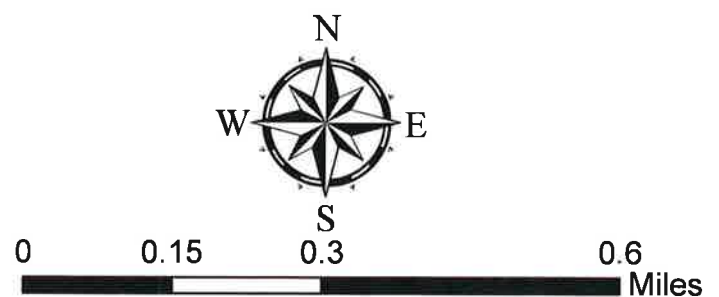
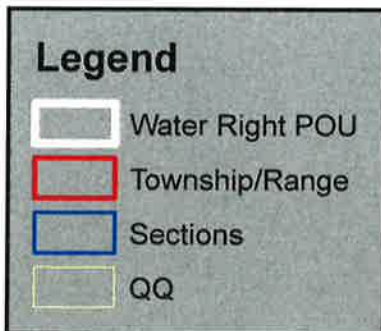
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	4															10.5		10.5

POU Total Acres: 10.5

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 21.5 acres in a single irrigation season. Combined Right Nos.: 1-10548, 1-10551, 35-13642.
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. E55 Right Nos. 1-10548 and 1-10551 are limited to the irrigation of a combined total of 10.5 acres in a single irrigation season.
4. F01 Water is delivered through Tomchak B pump #1.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

1-10548 Post-Ownership Split Place of Use



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 01-02078

NAME AND ADDRESS: BRAZO VALLEY FARMS
C/O BURLEIGH TOMCHAK
ROBERTS, ID 83444

BURLEIGH TOMCHAK
202 BASSETT RD
ROBERTS, ID 83444

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.54 CFS

PRIORITY DATE: 06/10/1949

POINT OF DIVERSION: T04N R37E S03 LOT 14 (NESW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.54 CFS

PLACE OF USE:	Irrigation	Within Jefferson County
	T04N R37E S04 LOT 1 (NENE) 40.0 LOT 2 (NWNE) 40.0	
	SWNE 40.0 SENE 40.0	
	NWSE 30.0 SWSE 30.0	
	220.0 Acres Total	

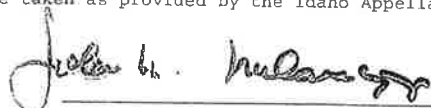
The rights listed below are limited to the irrigation of a combined total of 329 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744. Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 220 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

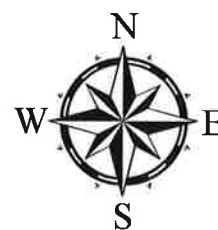

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

1-2078 Deceased Place of Use



Legend

-  Water Right POU
-  Township/Range
-  Sections
-  QQ



0 0.15 0.3 0.6 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 1-2078 (As Corrected)

Owner Type **Name and Address**
Current Owner JEFFERSON FARMS LLC
 3916 E JUNE ST
 MESA, AZ 85205
 (502) 684-2147

Priority Date: 6/10/1949

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.470 CFS	
	<u>Total Diversion</u>		1.470 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON 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	37E	4	40.0	40.0	40.0	40.0										30.0	19.5		209.5

POU Total Acres: 209.5

Conditions of Approval:

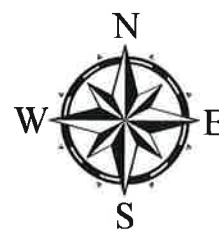
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
5. E55 Right Nos. 1-2077 and 1-2078 are limited to the irrigation of a combined total of 209.5 acres in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 307.5 acres in a single irrigation season. Combined Right Nos.: 1-2077, 1-2078, and 35-7744.
7. F01 Water is delivered through Tomchak B pump #1.

1-2078 Post-Ownership Change Place of Use



Legend

- Water Right POU
- Township/Range
- Sections
- QQ



0 0.15 0.3 0.6 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 1-10551 (As Corrected)

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IRA RESOURCES INC FBO JOHNNIE DARREL BURR IRA 35-36016 3916 E JUNE ST MESA, AZ 85205 (602) 684-2147

Priority Date: 6/10/1949

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.070 CFS	
	<u>Total Diversion</u>		0.070 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L14(NESW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON County

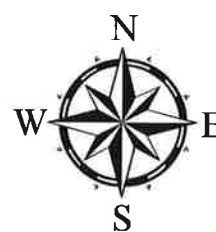
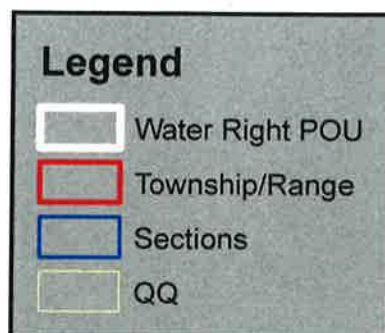
Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	37E	4															10.5		10.5

POU Total Acres: 10.5

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 21.5 acres in a single irrigation season. Combined Right Nos.: 1-10548, 1-10551, 35-13642.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 1.
3. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
4. F01 Water is delivered through Tomchak B pump #1.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. E55 Right Nos. 1-10548 and 1-10551 are limited to the irrigation of a combined total of 10.5 acres in a single irrigation season.

1-10551 Post-Ownership Change Place of Use



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-07744

202 MAR 11 PM 4:45

NAME AND ADDRESS: BURLEIGH TOMCHAK
MABEL TOMCHAK
458 BASSETT RD
ROBERTS, ID 83444

SOURCE: GROUNDWATER

QUANTITY: 6.58 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL
MAXIMUM DIVERSION VOLUME OF 1316.0 AF AT THE FIELD HEADGATE FOR
THE PLACE OF USE FOR THIS RIGHT.

PRIORITY DATE: 09/15/1999

POINT OF DIVERSION: T04N R37E S03 LOT 05 (SWSW) Within Jefferson County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.58 CFS

PLACE OF USE: Irrigation Within Jefferson County

T04N R37E S04 LOT 01 (NENE) 39.0	LOT 02 (NWNE) 39.0
SWNE 36.0	SENE 36.0
NESW 24.0	NWSW 5.0
SESW 25.0	NESE 20.0
NWSE 32.0	SWSE 36.0
SESE 37.0	
329.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

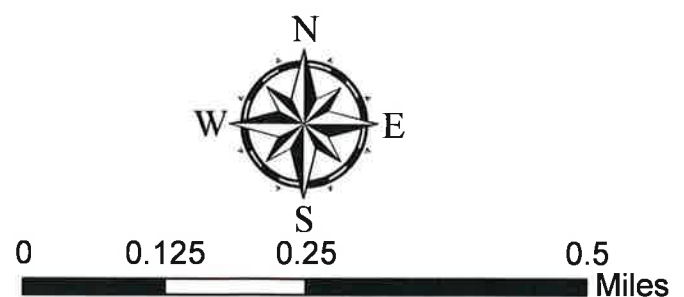
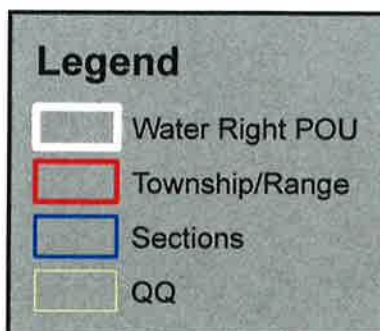
THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S)
APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR
USED ON ANY OTHER PLACE OF USE.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF
APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER
DIVERTED UNDER THIS RIGHT.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 01 RIGHTS.

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. I.C. SECTION 42-1412(6).

35-7744 Decreed Shape (380 acre shape, 329 acre POU)



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 35-7744 (As Corrected)

Owner Type **Name and Address**
Current Owner JEFFERSON FARMS LLC
3916 E JUNE ST
MESA, AZ 85205
(502) 684-2147

Priority Date: 9/15/1989

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	6.150 CFS	1,230.0 AF
	<u>Total Diversion</u>		6.150 CFS	1,230.0 AF

Source and Point(s) of Diversion

GROUND WATER L5(SWSW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON 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	37E	4	39.0	39.0	36.0	36.0					24.0	5.0		19.5	20.0	32.0	25.5	31.5	307.5

POU Total Acres: 307.5

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. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL MAXIMUM DIVERSION VOLUME OF 1230.0 AF AT THE FIELD HEADGATE FOR THE PLACE OF USE FOR THIS RIGHT.
3. THIS RIGHT 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.
THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 01 RIGHTS.

Combined Use Limits

Rate

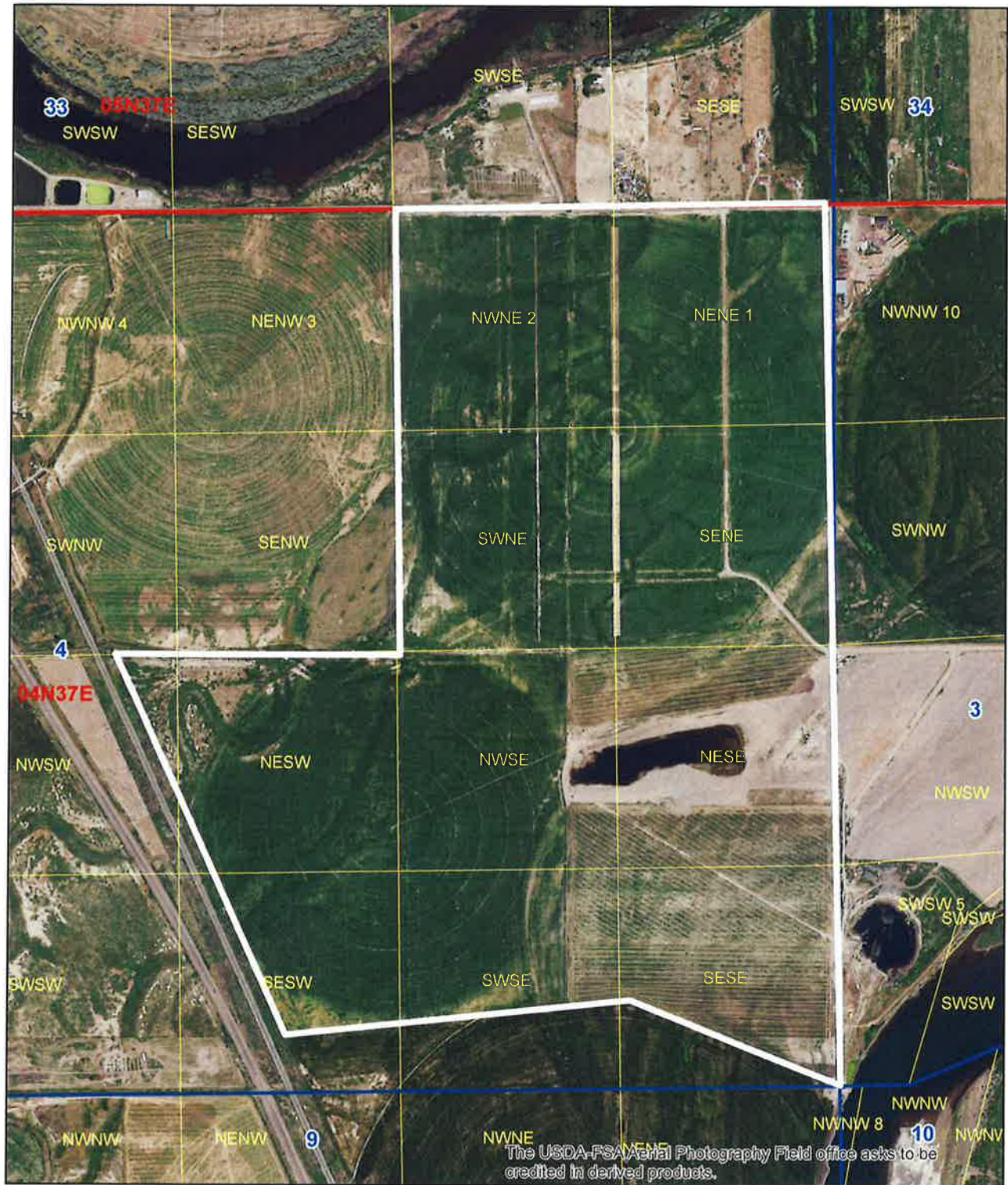
Volume

Acres

35-7744 ,1-2077 ,1-2078

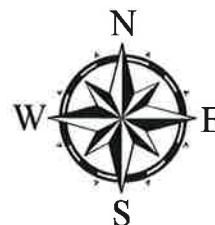
307.5

35-7744 Post-Ownership Split



Legend

- Water Right POU
- Township/Range
- Sections
- QQ



0 0.125 0.25 0.5 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

Water Right 35-13642 (As Corrected)

Owner Type **Name and Address**
Current Owner IRA RESOURCES INC
FBO JOHNNIE DARREL BURR IRA 35-36016
3916 E JUNE ST
MESA, AZ 85205
(602) 684-2147

Priority Date: 9/15/1989

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.430 CFS	86.0 AF
	<u>Total Diversion</u>		0.430 CFS	86.0 AF

Source and Point(s) of Diversion

GROUND WATER L5(SWSW) Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

Place Of Use

IRRIGATION within JEFFERSON 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	37E	4												5.5			10.5	5.5	21.5

POU Total Acres: 21.5

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL MAXIMUM DIVERSION VOLUME OF 86.0 AF AT THE FIELD HEADGATE FOR THE PLACE OF USE FOR THIS RIGHT.
2. THIS RIGHT 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.
THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 01 RIGHTS.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/6/2018

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.

Combined Use Limits
Rate

Volume

Acres
21.5

35-13642 ,1-10548 ,1-10551

35-13642 Post-Ownership Split Place of Use

