

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/6/2019

**Water Right 45-14523**

|                          |                                                                             |
|--------------------------|-----------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                              |
| Current Owner            | NICHOLAS CUMMINS<br>4402 E 3300 N<br>MURTAUGH, ID 83344-5204                |
| Current Owner            | TOBEE CUMMINS<br>4402 E 3300 N<br>MURTAUGH, ID 83344-5204<br>(208) 421-4208 |

**Priority Date:** 11/19/1948

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GROUND WATER         |                         |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <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            | 0.010 CFS                    | 3.9 AF               |
|                              | <b><u>Total Diversion</u></b> |                  | 0.010 CFS                    | 3.9 AF               |

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

|              |      |                                              |
|--------------|------|----------------------------------------------|
| GROUND WATER | SESW | Sec. 12, Twp 11S, Rge 19E, TWIN FALLS County |
|--------------|------|----------------------------------------------|

**Place Of Use**

IRRIGATION within TWIN FALLS 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 |        |
| 11S | 19E | 12  |    |    |    |    |    |    |    |    |    |    | 2.5 |    |    |    |    |    | 2.5    |

Right Acre Limit: 1.1

POU Total Acres: 2.5

**Conditions of Approval:**

1. The actual diversion rate for this right is 0.007 cfs.
2. X27 This right is limited to the irrigation of 1.1 acres within the authorized place of use in a single irrigation season.
3. X35 Rights 45-14519, 45-14521, and 45-14523 when combined shall not exceed a total annual maximum diversion volume of 10.0 af at the field headgate and the irrigation of 2.5 acres.
4. 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.
5. 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. 140.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the

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- diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
  8. 214 Prior to the diversion and use of water under Transfer approval 77452, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
  9. 004 This right does not grant any right-of-way or easement across the land of another.
  10. T07 The right holder shall accomplish the change authorized by this transfer within one year 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. 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. ainouye 8/5/2019 Split Right  
This right is the result of split from 45-14362.
2. ainouye 8/5/2019 POU  
Updated Shape

**Dates and Other Information**

State or Federal: S  
Owner Name Connector: AND  
Water District Number: 140  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                  | <u>Volume</u> | <u>Acres</u> |
|------------------------------|---------------|--------------|
|                              | 10.0          | 2.5          |
| 45-14519 ,45-14521 ,45-14523 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

State of Idaho  
Department of Water Resources

## Water Rights

45-14519, 45-14521, & 45-14523

The map depicts the place of use and the point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.05 0.1 0.2 Miles

