

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/6/2019

Water Right 45-14362
WR Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA CUMMINS 4416 E 3300 N MURTAUGH, ID 83344-5204
Current Owner	LOGAN CUMMINS 4416 E 3300 N MURTAUGH, ID 83344-5204
Original Owner	CUMMINS FARMS INC PO BOX 30 MURTAUGH, ID 83344-0033 (208) 432-6675
Previous Owner	FARMLAND RESERVE INC 79 S MAIN ST STE 1000 SALT LAKE CITY, UT 84111 (801) 715-9195

Priority Date: 11/19/1948

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.010 CFS

Volume

5.4 AF

Total Diversion

0.010 CFS

5.4 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											3.4						3.4

Right Acre Limit: 1.6

POU Total Acres: 3.4

Conditions of Approval:

- The actual diversion rate for this right is 0.009 cfs.
- X27 This right is limited to the irrigation of 1.6 acres within the authorized place of use in a

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- single irrigation season.
3. X35 Rights 45-14356, 45-14359, and 45-14362 when combined shall not exceed a total annual maximum diversion volume of 13.6 af at the field headgate and the irrigation of 3.4 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 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. | jcooper
Updated Shape | 8/5/2011 | POD |
| 2. | jcooper
Updated Shape | 8/5/2011 | POU |
| 3. | amerritt
This is now an approved transfer, transfer number = 77452 | 9/22/2011 | Transferred Right |
| 4. | ainouye
Split into 45-14523 (Nicholas & Tobee Cummins) and 45-14524 (Daniel & Carla Cummins). | 8/5/2019 | Split Right |
| 5. | ainouye
Updated Shape | 8/5/2019 | POU |

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Dates and Other Information

Decreed Date: 5/6/2005
Civil Case Number: 39576
Judicial District: FIFTH
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>
45-14362 ,45-14359 ,45-14356	13.6	3.4

SubCase:

N/A

Water Supply Bank:

N/A

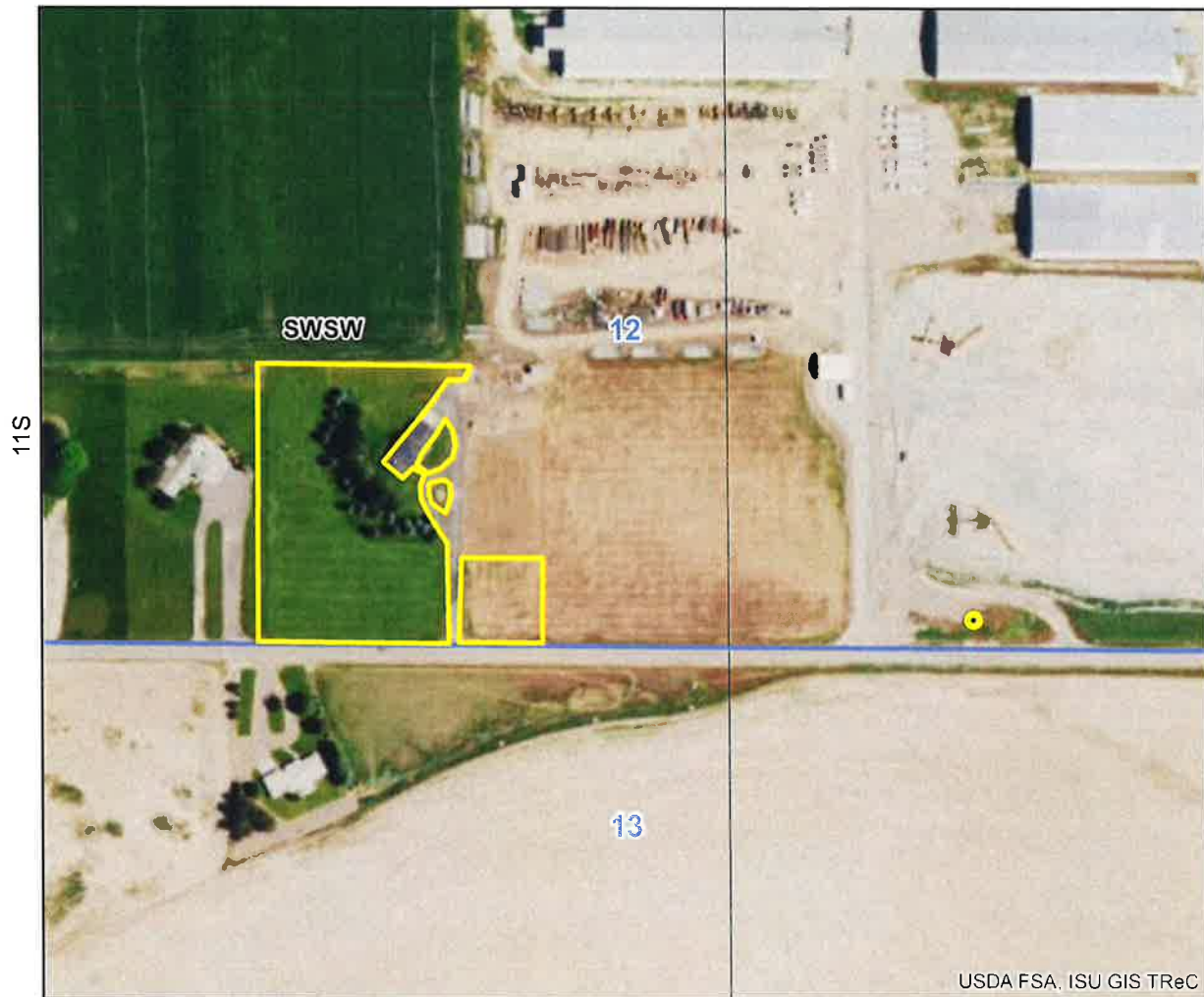
Water Rights

45-14356, 45-14359, & 45-14362

Map AFTER Ownership Change Split

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.

19E



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

0 0.035 0.07 0.14 Miles



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Current Owner FARMLAND RESERVE INC
79 S MAIN ST STE 1000
SALT LAKE CITY, UT 84111
(801) 715-9195

Priority Date: 11/19/1948

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	03/15	11/15	0.020 CFS	11.6 AF
	<u>Total Diversion</u>		0.020 CFS	11.6 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

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	19E	12											7.3						7.3

Right Acre Limit: 3.4

POU Total Acres: 7.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 3.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 45-14356, 45-14359, and 45-14362 when combined shall not exceed a total annual maximum diversion volume of 29.2 af at the field headgate and the irrigation of 7.3 acres.
3. 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.
4. 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.
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. 213 Upon specific notification of the Department, the right holder shall install and maintain

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- data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. 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.
 11. 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. jcooper 8/5/2011 POD
Updated Shape
2. jcooper 8/5/2011 POU
Updated Shape
3. ameritt 9/22/2011 Transferred Right
This is now an approved transfer, transfer number = 77452

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	29.2	7.3
45-14362 ,45-14359 ,45-14356		

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Rights 45-14356, 45-14359, & 45-14362
Map BEFORE Ownership Change Split



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

0 0.05 0.1 0.2 Miles

