

10/30/2018

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/30/2018

5. C18 SINGLE IRRIGATION SEASON.
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.

Comments:

1. DJONES 2/10/1998 COPIED FROM REMARKS
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED;
PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA.
SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM
DIVERSIONS WITHIN THE STATE OF UTAH. OTHER RIG
2. VHANCOCK 6/2/1998 OWNERSHIP CHANGE
ADDED BETH PER NOTICE RECD 5-14-98
3. tfawcett 11/8/2000 Ownership change
Ownerhsip changed Jones to Higley per request and warranty deed received 6-21-00.

Dates and Other Information

Decreed Date: 11/28/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43B
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		165.0
43-84 ,43-85 ,43-286A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		310.0
43-37 ,43-84 ,43-85 ,43-286A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		370.0
43-37 ,43-84 ,43-85 ,43-286A ,43-2401 ,43-259 ,43-260		

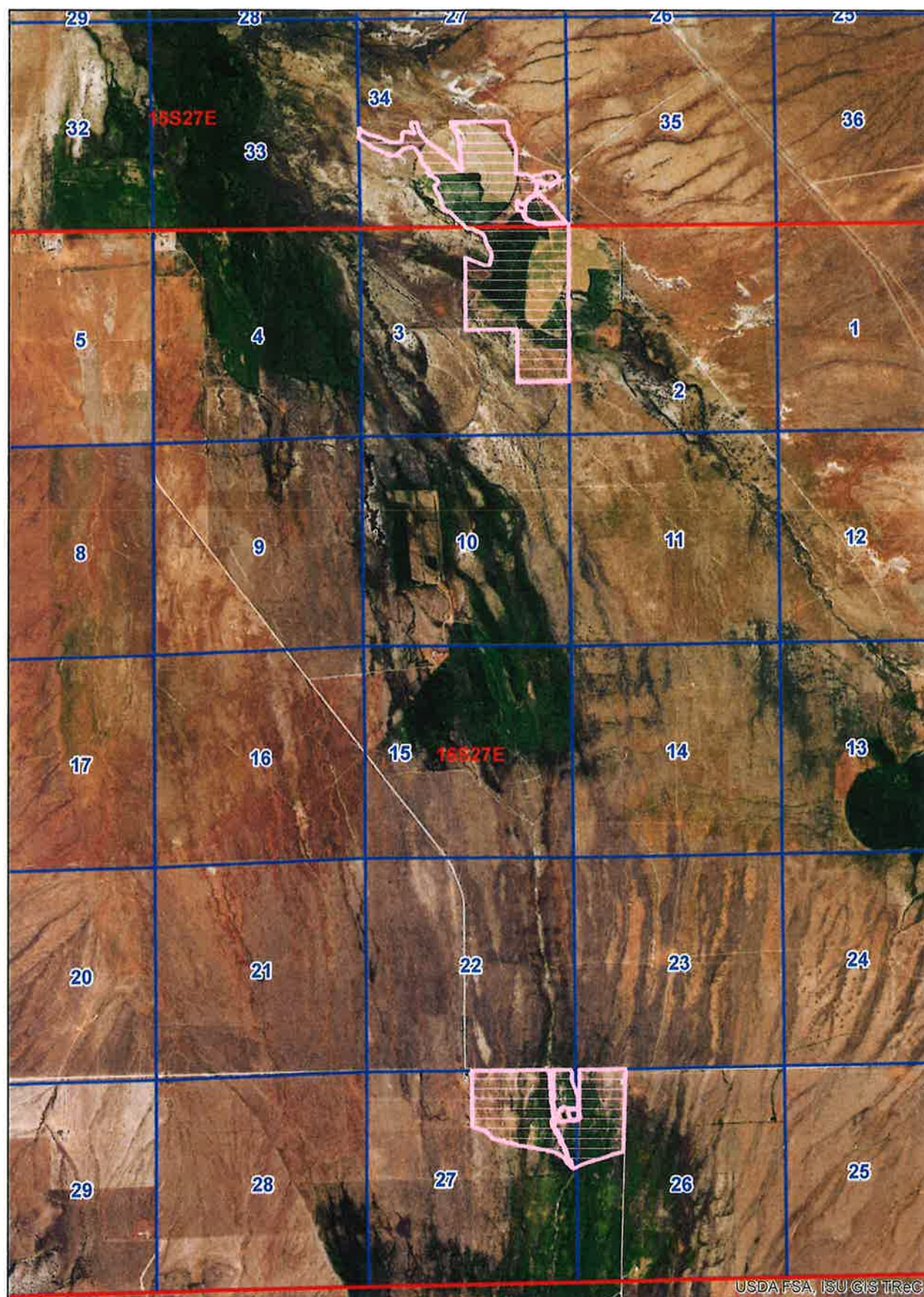
SubCase:

SubCaseNumber: 43-85
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 3/25/1998
Objection Status: Active

Water Supply Bank:

N/A

Water Right 43-84 & 43-85 POU Before Split



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/26/2018

Water Right 43-85
WR Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROUND MOUNTAIN RANCH 3475 S ROUND MOUNTAIN LN MALTA, ID 83342-8626 (208) 824-5721
Security Interest	WESTERN AGCREDIT FLCA 10980 S JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850 (800) 824-9198

Priority Date: 7/14/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CLEAR CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.210 CFS	
	<u>Total Diversion</u>		1.210 CFS	

Source and Point(s) of Diversion

CLEAR CREEK SESENE Sec. 27, Twp 16S, Rge 27E, CASSIA County

Place Of Use

IRRIGATION within CASSIA 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	
15S	27E	34									20.0	10.0		16.0		38.0	40.0	24.0	148.0
16S	27E	3	38.0 L1	27.0 L2	40.0	40.0									40.0				185.0

Right Acre Limit: 80.4

POU Total Acres: 333.0

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS

IDAHO DEPARTMENT OF WATER RESOURCES

11/26/2018

Proof Report

RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 110.6 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 207.7 ACRES IN A SINGLE IRRIGATION SEASON.

5. 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.

Comments:

1. DJONES 2/10/1998 COPIED FROM REMARKS
USE OF THIS DECREE HAS EXISTED FOR MANY YEARS ON THE LAND DESCRIBED; PRIOR TO THE DESIGNATION OF THE AREA AS A CRITICAL GROUNDWATER AREA. SOME OF THE LAND IDENTIFIED IS DELIVERED WATER FROM CLEAR CREEK FROM DIVERSIONS WITHIN THE STATE OF UTAH. OTHER RIG
2. VHANCOCK 6/2/1998 OWNERSHIP CHANGE
ADDED BETH PER NOTICE RECD 5-14-98
3. tfawcett 11/8/2000 Ownership change
Ownerhsip changed Jones to Higley per request and warranty deed received 6-21-00.
4. Ownership Change 10/30/2018 Split Right
Split into 43-85 (Round Mountain Ranch) and 43-13825 (Mark Higley Inc.)
5. wmills 10/30/2018 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/28/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 43B
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		110.6
43-84 ,43-85 ,43-286A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		207.7
43-37 ,43-84 ,43-85 ,43-286A		

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/26/2018

SubCase:

SubCaseNumber: 43-85

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 3/25/1998

Objection Status: Active

Water Supply Bank:

N/A

Water Right 43-84 & 43-85 POU After Ownership Split

