

## IDAHO DEPARTMENT OF WATER RESOURCES

11/26/2018

## Proof Report

## Water Right 43-13826

**Owner Type**  
Current Owner**Name and Address**  
MARK HIGLEY INC  
928 W 1800 N STE J  
CLEARFIELD, UT 84015-6608**Priority Date:** 11/23/1911**Basis:** Decreed**Status:** Active**Source**  
CLEAR CREEK**Tributary**  
SINKS**Beneficial Use**

IRRIGATION

**From**

04/01

**To**

10/31

**Diversion Rate**

1.060 CFS

**Volume****Total Diversion**

1.060 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 |        |
| 16S | 27E | 26  |      |      |      |      |    | 35.0 | 25.0 |    |    |    |    |    |    |    |    |    | 60.0   |
| 16S | 27E | 27  | 35.0 | 40.0 | 10.0 | 20.0 |    |      |      |    |    |    |    |    |    |    |    |    | 105.0  |

Right Acre Limit: 26.4

POU Total Acres: 165.0

**Conditions of Approval:**

- THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.
- C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 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.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 26.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-13824 & 43-13825 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 54.4 ACRES IN A SINGLE IRRIGATION SEASON.
- C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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**Comments:**

1.       wmills                               10/30/2018       Split Right  
This right was split from 43-286A as the result of an ownership change.

2.       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**

| <b><u>Rate</u></b>           | <b><u>Volume</u></b> | <b><u>Acres</u></b> |
|------------------------------|----------------------|---------------------|
| 43-13824 ,43-13825 ,43-13826 |                      | 54.4                |

**Verification Log**

**SubCase:**

N/A

**Water Supply Bank:**

N/A

# Water Right 43-13826 POU

