

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-13799

9/25/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MATTHEW C GARDINER 234 S 100 W ST GEORGE, UT 84770-3409 (435) 632-7083
Current Owner	MARIE JEANNE GARDINER 234 S 100 W ST GEORGE, UT 84770-3409 (435) 674-6080
Original Owner	GOLDEN F GARDINER 1750 S HWY 81 MALTA, ID 83342 (208) 645-2563
Original Owner	BARBARA E GARDINER 1750 S HWY 81 MALTA, ID 83342 (208) 645-2563

Priority Date: 5/22/1963

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.290 CFS

Volume

64.1 AF

Total Diversion

0.290 CFS

64.1 AF

Source and Point(s) of Diversion

GROUND WATER

SWSENE

Sec. 23, Twp 13S, Rge 26E, CASSIA County

GROUND WATER

SWNESE

Sec. 26, Twp 13S, Rge 26E, 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	
13S	26E	23													40.0	38.0	35.0	37.0	150.0
13S	26E	24							35.0		31.0	28.0	32.0			31.0			157.0
13S	26E	25						32.0	21.0										53.0
13S	26E	26	22.0	2.3		11.7													36.0

Right Acre Limit: 16.0

POU Total Acres: 396.0

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Conditions of Approval:

1. X27 This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
2. X35 Rights 43-13799 and 43-13800 when combined shall not exceed a total diversion rate of 0.32 cfs, a total annual maximum diversion volume of 97.9 af and the irrigation of 24.5 acres in a single irrigation season.
3. Rights 43-13799, 43-4240 and 43-13801 when combined shall not exceed a total diversion rate of 0.44 cfs, and the irrigation of 23 acres in a single irrigation season.
4. Rights 43-13799, 43-13800 and 43-13801 when combined shall not exceed a total diversion rate of 0.45 cfs, a total annual maximum diversion volume of 120.9 af at the field headgate and the irrigation of 31.2 acres in a single irrigation season.
5. X35 Rights 43-300, 43-13799, 43-13800 and 43-13801 when combined shall not exceed a total diversion rate of 0.76 cfs, a total annual maximum diversion volume of 152.0 af and the irrigation of 38.0 acres in a single irrigation season.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. 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 lands above.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
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:

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|--|----------|----------|-------------|
| 1. | jhersley | 3/1/2018 | SPLIT RIGHT |
| this right is the result of split from 43-2573 due to change in ownership. | | | |
| 2. | jhersley | 3/1/2018 | POD |
| Updated Shape | | | |
| 3. | jhersley | 3/1/2018 | POU |
| Updated Shape | | | |

Dates and Other Information

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S

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Owner Name Connector: And
Water District Number: 143
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.320	97.9	24.5
43-13799 ,43-13800		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.440		23.0
43-4240 ,43-13799 ,43-13801		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.450	120.9	31.2
43-13799 ,43-13800 ,43-13801		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.760	152.0	38.0
43-300 ,43-13799 ,43-13800 ,43-13801		

SubCase:

N/A

Water Supply Bank:

N/A