

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

9/25/2018

After Split

Owner Type **Name and Address**
 Current Owner GOLDEN F GARDINER
 1750 S HWY 81
 MALTA, ID 83342
 (208) 645-2563

Current Owner BARBARA E GARDINER
 1750 S HWY 81
 MALTA, ID 83342
 (208) 645-2563

Priority Date: 3/15/1962

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	1.300 CFS	217.0 AF
	<u>Total Diversion</u>		1.300 CFS	217.0 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

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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: 63.3

POU Total Acres: 396.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
2. Rights 43-10123 and 43-13533 when combined shall not exceed a total diversion rate of 1.40 cfs.
3. Rights 43-301, 43-4232 and 43-10123 when combined shall not exceed a total diversion rate of 2.06 cfs, and the irrigation of 103 acres in a single irrigation season.
4. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
5. Rights 43-2573, 43-4233 and 43-10123 when combined shall not exceed a total

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

9/25/2018

- diversion rate of 4.70 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 325 acres.
6. X35 Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
 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. 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.
 9. 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.
 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.

Comments:

1. jstanton 3/31/2009 POD
Updated Shape
2. jstanton 3/31/2009 POU
Updated Shape
3. jstanton 6/19/2009 POU
Updated Shape
4. ameritt 9/15/2009 POD
Updated Shape
5. ameritt 9/15/2009 POD
Deleted Shape
6. ameritt 9/15/2009 Transferred Right
This is now an approved transfer, transfer number = 75421
7. jreeder 9/13/2012 POD
PODID 748218 correlated from SpatialDataID 212905 to SpatialDataID 212905
8. Ownership Change 3/1/2018 Split Right
Split into 43-10123 and 43-13801 due to change in ownership.
9. jhersley 9/25/2018 POU
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

9/25/2018

Dates and Other Information

Decreed Date: 6/28/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
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>
1.800		90.4

43-301 ,43-4232 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.400	512.0	138.0

43-10123 ,43-13533 ,43-13801

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.180		217.0

43-2573 ,43-4240 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
4.250	1,139.3	293.8

43-2573 ,43-4233 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
7.160		358.0

43-301 ,43-2573 ,43-4232 ,43-4233 ,43-4240 ,43-10123

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

3/1/2018

Before Split

Owner Type **Name and Address**
 Current Owner GOLDEN F GARDINER
 1750 S HWY 81
 MALTA, ID 83342
 (208) 645-2563

Current Owner BARBARA E GARDINER
 1750 S HWY 81
 MALTA, ID 83342
 (208) 645-2563

Priority Date: 3/15/1962

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	1.400 CFS	240.0 AF
	<u>Total Diversion</u>		1.400 CFS	240.0 AF

Source and Point(s) of Diversion

GROUND WATER	SWSENE	Sec. 23, Twp 13S, Rge 26E, CASSIA County
GROUND WATER	SWNE	Sec. 26, Twp 13S, Rge 26E, CASSIA County

Place Of Use

IRRIGATION within CASSIA 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	
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: 70.0

POU Total Acres: 396.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
2. Rights 43-10123 and 43-13533 when combined shall not exceed a total diversion rate of 1.40 cfs.
3. Rights 43-301, 43-4232 and 43-10123 when combined shall not exceed a total diversion rate of 2.06 cfs, and the irrigation of 103 acres in a single irrigation season.
4. Rights 43-2573, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 6.60 cfs, and the irrigation of 330 acres in a single irrigation season.
5. Rights 43-2573, 43-4233 and 43-10123 when combined shall not exceed a total

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

3/1/2018

- diversion rate of 4.70 cfs, a total annual maximum diversion volume of 1260.0 af at the field headgate, and the irrigation of 325 acres.
6. X35 Rights 43-300, 43-301, 43-2573, 43-4232, 43-4233, 43-4240 and 43-10123 when combined shall not exceed a total diversion rate of 7.92 cfs, a total annual maximum diversion volume of 1584.0 af at the field headgate, and the irrigation of 396.0 acres.
 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. 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.
 9. 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.
 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.

Comments:

- | | | |
|---|-----------|-------------------|
| 1. jstanton
Updated Shape | 3/31/2009 | POD |
| 2. jstanton
Updated Shape | 3/31/2009 | POU |
| 3. jstanton
Updated Shape | 6/19/2009 | POU |
| 4. amerritt
Updated Shape | 9/15/2009 | POD |
| 5. amerritt
Deleted Shape | 9/15/2009 | POD |
| 6. amerritt
This is now an approved transfer, transfer number = 75421 | 9/15/2009 | Transferred Right |
| 7. jreeder
PODID 748218 correlated from SpatialDataID 212905 to SpatialDataID 212905 | 9/13/2012 | POD |

Dates and Other Information

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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-10123

3/1/2018

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>
4.700	1,260.0	325.0

43-2573 ,43-4233 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		103.0

43-301 ,43-4232 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		330.0

43-2573 ,43-4240 ,43-10123

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1,584.0	396.0

43-300 ,43-301 ,43-2573 ,43-4232 ,43-4233 ,43-4240 ,43-10123

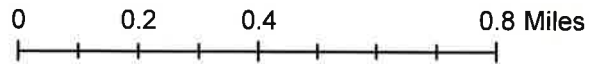
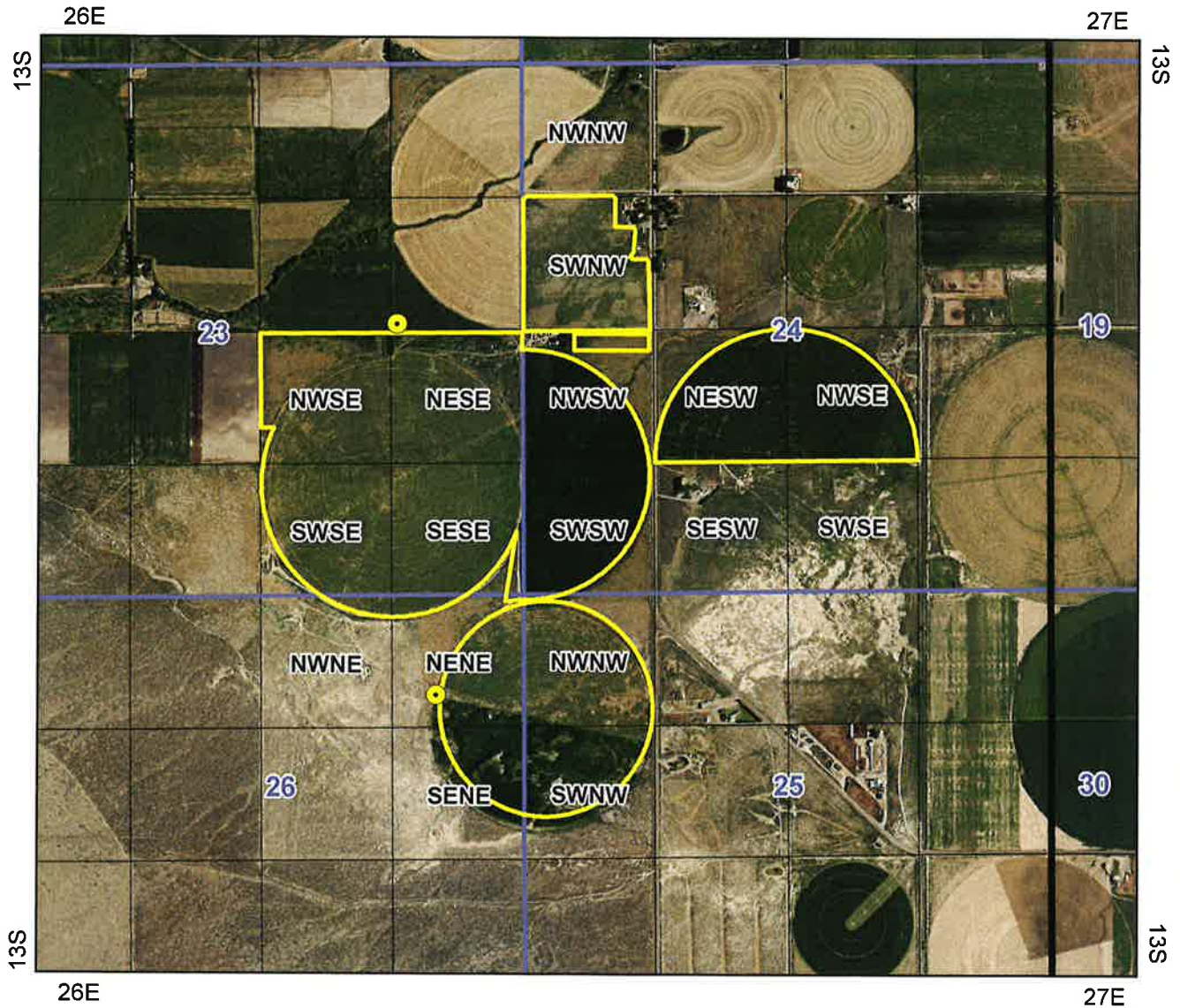
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
43-10123



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

