

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-23373

7/19/2018

Before Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KDB LLC 6916 BRINDLE POINT DR NAMPA, ID 83687-8002 (208) 870-6056
Original Owner	LARRY A ELD 11085 THOMAS DR BOISE, ID 83709 (208) 375-2423
Original Owner	ARLENE B ELD 11085 THOMAS DR BOISE, ID 83709 (208) 375-2423
Previous Owner	TIMBERLINE DEVELOPMENT LLC PO BOX 145 DONNELLY, ID 83615 (208) 315-0991

Priority Date: 8/18/1919

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
LAKE FORK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/15	0.390 CFS	
MITIGATION BY NON-USE	01/01	12/31	0.080 CFS	6.8 AF
Total Diversion			0.470 CFS	

Source and Point(s) of Diversion

LAKE FORK	NWSE	Sec. 32, Twp 17N, Rge 03E, VALLEY County(R)
LAKE FORK	NWNE	Sec. 32, Twp 17N, Rge 03E, VALLEY County
LAKE FORK	SENE	Sec. 3, Twp 17N, Rge 03E, VALLEY County

Place Of Use

IRRIGATION within VALLEY 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	
16N	03E	17				21.0													21.0

POU Total Acres: 21.0

Conditions of Approval:

1. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM MUD CREEK.

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2. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 65-23371 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.50 CFS.

Comments:

1. jhersley 12/22/2009 split right
This water right is the result of split from 65-3185 due to change in ownership.
2. jhersley 12/22/2009 Mitigation & Water Bank
a 0.08 cfs/4 acre irrigation portion of the right will not be diverted in order to mitigate permit 65-23098. This portion should not be available in the water bank or for other beneficial uses due to the mitigation action.
3. jhersley 12/22/2009 POD
Updated Shape
4. jhersley 12/22/2009 POU
Updated Shape
5. pskaggs 2/3/2011 Combined Limit
Combined right limit split to reflect the proportional ownership split of Rights 65-2399 & 65-3185.
6. cparker 12/15/2017 Mitigation
Values for mitigation are changed based on the beneficial use developed for water right permit 65-23098 as confirmed during the field exam.

Dates and Other Information

Decreed Date: 5/26/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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7/19/2018

0.500

65-23371 ,65-23373

SubCase:

N/A

Water Supply Bank:

Lessor Name: KDB LLC

Lease Status: Active

Lease Amount: .39

Rental Availability: .39

Date Received: 12/30/2013

Lease Begin Date: 1/1/2014

Expiration Date: 12/31/2018

State of Idaho
Department of Water Resources
Water Right License
65-23373



0 1.5 3 6 Miles

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



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-23373

7/25/2018

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KDB LLC 6916 BRINDLE POINT DR NAMPA, ID 83687-8002 (208) 870-6056
Original Owner	LARRY A ELD 11085 THOMAS DR BOISE, ID 83709 (208) 375-2423
Original Owner	ARLENE B ELD 11085 THOMAS DR BOISE, ID 83709 (208) 375-2423
Previous Owner	TIMBERLINE DEVELOPMENT LLC PO BOX 145 DONNELLY, ID 83615 (208) 315-0991

Priority Date: 8/18/1919

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

Source

LAKE FORK

Tributary

NORTH FORK PAYETTE RIVER

Beneficial Use

IRRIGATION

MITIGATION BY NON-USE

From

05/01

To

09/15

Diversion Rate

0.270 CFS

0.080 CFS

Total Diversion

0.350 CFS

Volume

6.8 AF

Source and Point(s) of Diversion

LAKE FORK

LAKE FORK

LAKE FORK

NWSE

NWNE

SENE

Sec. 32, Twp 17N, Rge 03E, VALLEY County(R)

Sec. 32, Twp 17N, Rge 03E, VALLEY County

Sec. 3, Twp 17N, Rge 03E, VALLEY County

Place Of Use

IRRIGATION within VALLEY 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	
16N	03E	17				15.0													15.0

POU Total Acres: 15.0

Conditions of Approval:

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2. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
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3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 65-23371 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.37 CFS.

Comments:

1. jhersley 12/22/2009 split right
This water right is the result of split from 65-3185 due to change in ownership.
2. jhersley 12/22/2009 Mitigation & Water Bank
a 0.08 cfs/4 acre irrigation portion of the right will not be diverted in order to mitigate permit 65-23098. This portion should not be available in the water bank or for other beneficial uses due to the mitigation action.
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Updated Shape
5. pskaggs 2/3/2011 Combined Limit
Combined right limit split to reflect the proportional ownership split of Rights 65-2399 & 65-3185.
6. cparker 12/15/2017 Mitigation
Values for mitigation are changed based on the beneficial use developed for water right permit 65-23098 as confirmed during the field exam.
7. Ownership Change 7/24/2018 Split Right
Split into 65-23373 & 65-23785 due to change in ownership. This was conveyed without land.

Dates and Other Information

Decreed Date: 5/26/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

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Combined Use Limits

Rate

0.500

Volume

Acres

65-23371 ,65-23373

SubCase:

N/A

Water Supply Bank:

Lessor Name: KDB LLC

Lease Status: Active

Lease Amount: .39

Rental Availability: .39

Date Received: 12/30/2013

Lease Begin Date: 1/1/2014

Expiration Date: 12/31/2018