

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-9042

4/10/2018

After Split

Owner Type **Name and Address**
 Current Owner JAMES A WARNER
 961 BANKS LOWMAN RD
 GARDEN VALLEY, ID 83622
 (208) 462-3223

Original Owner BEN C WARNER
 GARDEN VALLEY, ID 83622

Priority Date: 7/1/1874

Basis: Decreed

Status: Active

Source
 ANDERSON CREEK

Tributary
 MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	3.600 CFS	
STOCKWATER	01/01	12/31	0.060 CFS	3.0 AF
	<u>Total Diversion</u>		3.600 CFS	

Source and Point(s) of Diversion

ANDERSON CREEK SENE Sec. 23, Twp 09N, Rge 04E, BOISE County

Place Of Use

IRRIGATION within BOISE 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	
09N	04E	21													7.0			9.0	16.0
09N	04E	22			4.0		4.0		10.0	33.0	20.0	37.0	27.0						135.0

POU Total Acres: 151.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT AND WATER RIGHT 65-23764 FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. 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.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. The actual diversion rate for stockwater use is 0.057 cfs.

Comments:

1. SBOCK 11/29/1999 COPIED FROM REMARKS

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-9042

4/10/2018

ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/14/98.

2. SBOCK 12/9/1999 NO. OF ACRES
IN SEC 22 THE SWNW, THIS RIGHT WAS FOR 10 ACRES AND RIGHT 65-02887 FOR 33 ACRES, WHICH IS MORE THAN THE 1/4 1/4. FROM LOOKING AT THE MYLAR FIELD EXAM IT IS CLEAR THAT THIS MISTAKE WAS MADE BEFORE THE PAYETEE DECREE AND BOTH RIGHTS WERE DECREED WITH THE ABOVE MENTIONED ACRES. WHEN LOOKING AT BOTH RIGHTS THEY WOULD FALL WITHIN THE 10% MARGIN OF ERROR, SO RATHER THAN TRY TO FIGURE OUT WHICH RIGHT SHOULD BE REDUCED, I AM RECOMMENDING BOTH RIGHTS AS DECREED. THEY CAN NOT IRR. MORE THAN THEY HAVE NOR CAN THEY TRANSFER MORE THAN THEY HAVE.
3. AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
4. Ownership Change 4/10/2018 Split Right
Split into 65-9042 and 65-23764 due to change in ownership.
5. jhersley 4/10/2018 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/3/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

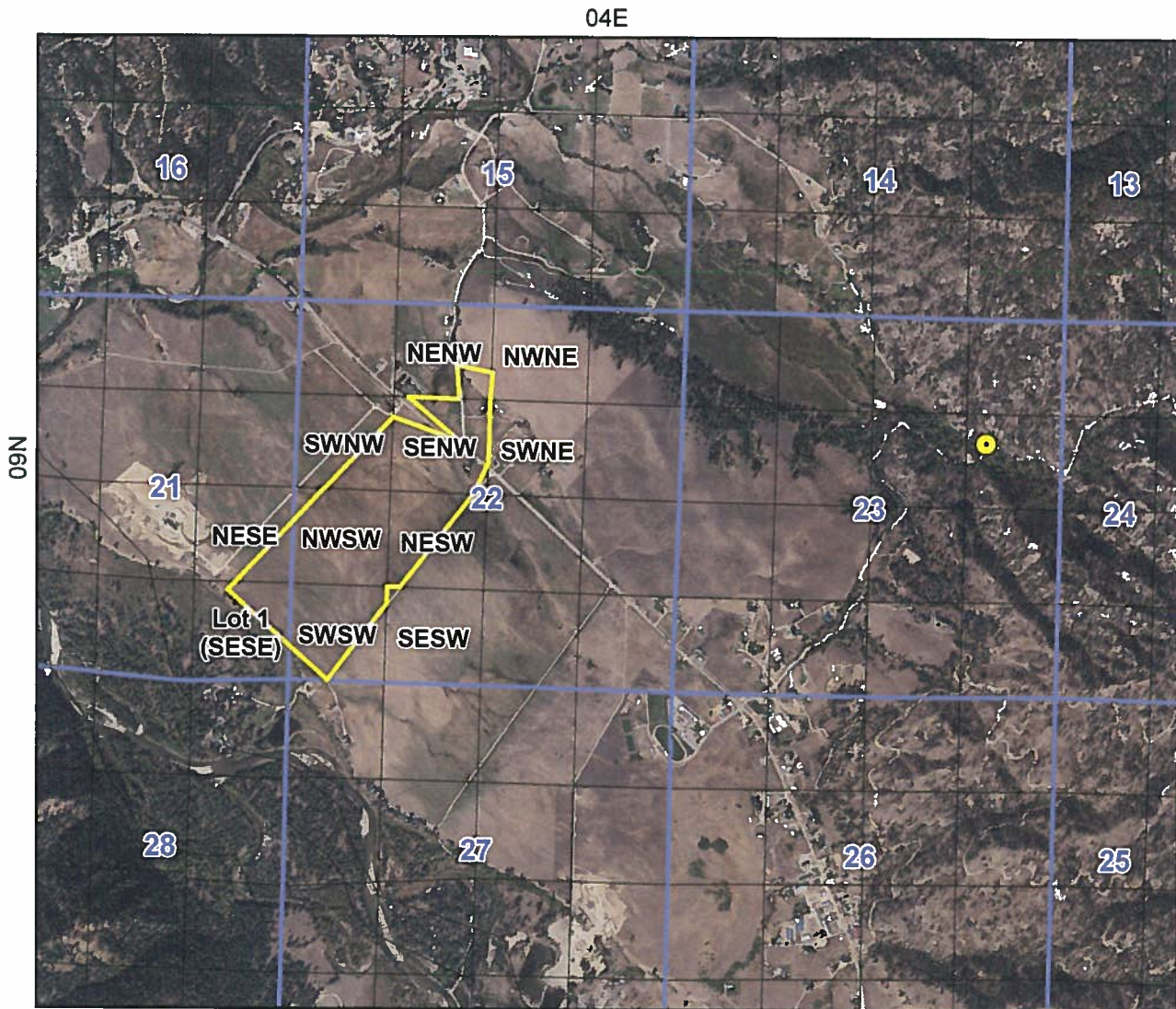
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
65-9042



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

0 0.3 0.6 1.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-9042

4/10/2018

Before Split

Owner Type **Name and Address**
 Current Owner JAMES A WARNER
 961 BANKS LOWMAN RD
 GARDEN VALLEY, ID 83622
 (208) 462-3223

Original Owner BEN C WARNER
 GARDEN VALLEY, ID 83622

Priority Date: 7/1/1874

Basis: Decreed

Status: Active

Source
 ANDERSON CREEK

Tributary
 MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	3.800 CFS	
STOCKWATER	1/01	12/31	0.060 CFS	3.2 AF
	<u>Total Diversion</u>		3.800 CFS	

Source and Point(s) of Diversion

ANDERSON CREEK SENE Sec. 23, Twp 09N, Rge 04E, BOISE County

Place Of Use

IRRIGATION within BOISE 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	
09N	04E	21													7.0			9.0	16.0
09N	04E	22	8.0		4.0		4.0		10.0	33.0	20.0	37.0	27.0						143.0

POU Total Acres: 159.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. 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.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. STOCKWATER, 80 RANGE CATTLE

Comments:

1. SBOCK 11/29/1999 COPIED FROM REMARKS

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 65-9042

4/10/2018

ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/14/98.

2. SBOCK 12/9/1999 NO. OF ACRES
IN SEC 22 THE SWNW, THIS RIGHT WAS FOR 10 ACRES AND RIGHT 65-02887 FOR 33 ACRES, WHICH IS MORE THAN THE 1/4 1/4. FROM LOOKING AT THE MYLAR FIELD EXAM IT IS CLEAR THAT THIS MISTAKE WAS MADE BEFORE THE PAYETEE DECREE AND BOTH RIGHTS WERE DECREED WITH THE ABOVE MENTIONED ACRES. WHEN LOOKING AT BOTH RIGHTS THEY WOULD FALL WITHIN THE 10% MARGIN OF ERROR, SO RATHER THAN TRY TO FIGURE OUT WHICH RIGHT SHOULD BE REDUCED, I AM RECOMMENDING BOTH RIGHTS AS DECREED. THEY CAN NOT IRR. MORE THAN THEY HAVE NOR CAN THEY TRANSFER MORE THAN THEY HAVE.
3. AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information

Decreed Date: 11/3/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

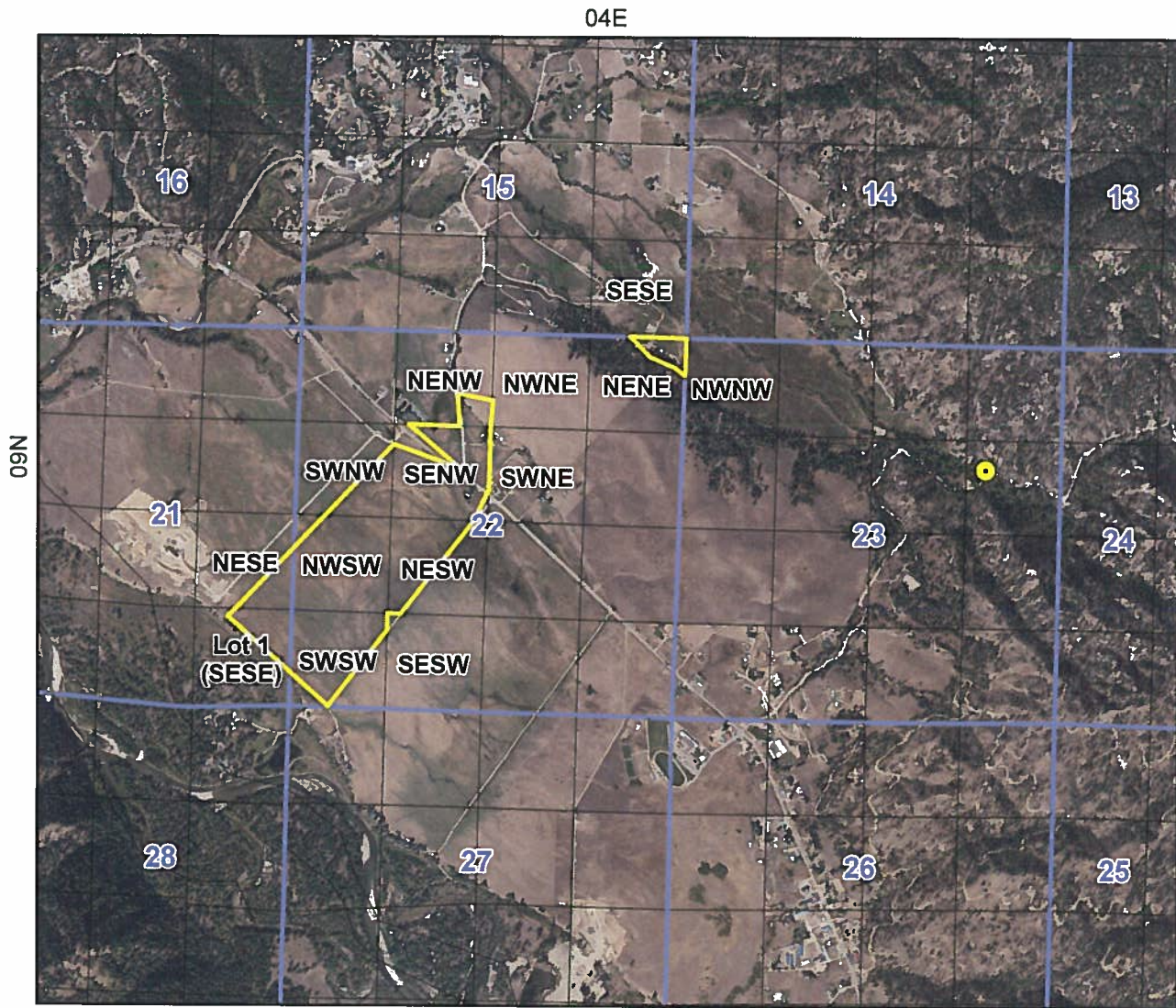
SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
65-9042



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

