

IDAHO DEPARTMENT OF WATER RESOURCES

11/1/2017

Proof Report

Water Right 29-11698

*Before Split***Owner Type**
Current Owner**Name and Address**
DOWNEY PROPERTIES LLC
PO BOX 900517
SANDY, UT 84090
(80 (1)3) 19--7242**Priority Date:** 6/9/1904**Basis:** Decreed**Status:** Active**Source**
MAPLE CREEK
BIG CREEK**Tributary**
BIRCH CREEK
BIRCH CREEK**Beneficial Use**

IRRIGATION

From

04/01

To

10/31

Diversion Rate

5.640 CFS

Volume**Total Diversion**

5.640 CFS

Source and Point(s) of DiversionMAPLE CREEK
BIG CREEKNWNWNE
SWNENWSec. 35, Twp 11S, Rge 36E, BANNOCK County
Sec. 2, Twp 12S, Rge 36E, BANNOCK County**Place Of Use**

IRRIGATION within BANNOCK 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	
11S	36E	25									28.0		17.0		40.0	37.0	9.3	29.0	160.3
11S	36E	35	15.0	4.0	17.0	9.6													45.6
11S	36E	36	20.0	3.0	19.0		19.0	12.0		3.3									76.3

POU Total Acres: 282.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. B01 BIG CREEK IS ALSO KNOWN AS DRY HOLLOW.
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-11697, 29-11698, 29-11699, 29-11700.
4. 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.
5. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.64 CFS. COMBINED RIGHT NOS.: 29-11697, 29-11698, 29-11699, 29-11700.

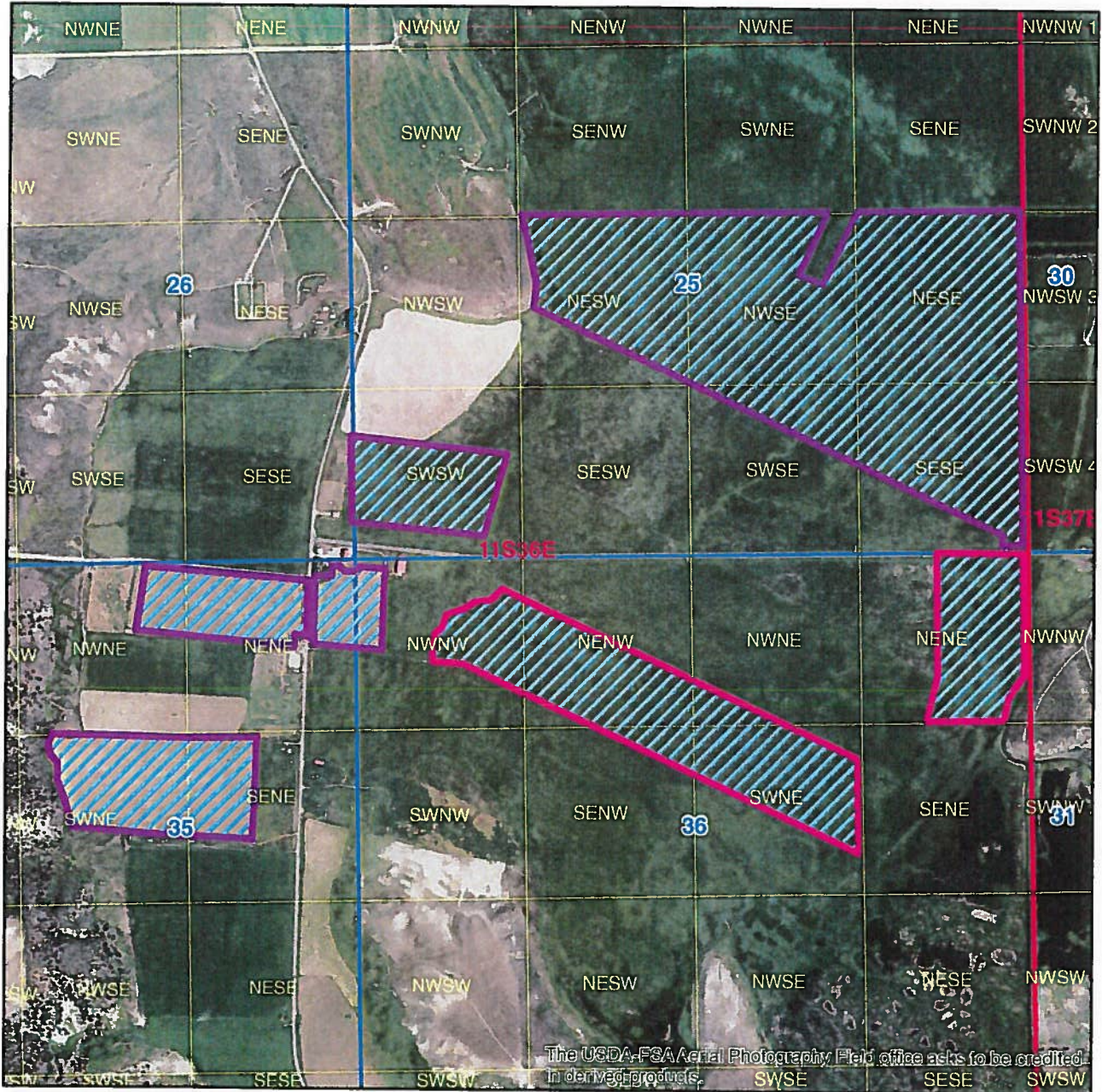
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6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-11697, 29-11698, 29-11699, 29-11700 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
8. D08 The amount of water diverted under this water right may not exceed 1/4 of the stream flow of Big Creek and Maple Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.
9. F01 WATER CAN BE DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).
10. MINES CANYON CREEK IS ALSO KNOWN AS MAPLE CREEK.

Comments:

Idaho Department of Water Resources



Legend

-  Eliason 29-11697, 29-11698, 29-11699 and 29-11700
-  Heritage 29-11697, 29-11698, 29-11699 and 29-11700
-  29-11697, 29-11698, 29-11699 & 29-11700
-  Township/Range
-  Sections
- QQ

IDAHO DEPARTMENT OF WATER RESOURCES

11/28/2017

Proof Report

Water Right 29-11698

After Split

Owner Type

Current Owner

Name and Address

HERITAGE WEST PROPERTIES NORTH LLC
 PO BOX 1304
 OGDEN, UT 84402
 (801) 710-8901

Priority Date: 6/9/1904**Basis:** Decreed**Status:** Active**Source**

MAPLE CREEK
 BIG CREEK

Tributary

BIRCH CREEK
 BIRCH CREEK

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

4.190 CFS

Volume**Total Diversion**

4.190 CFS

Source and Point(s) of Diversion

MAPLE CREEK
 BIG CREEK

NWNWNE
 SWNENW

Sec. 35, Twp 11S, Rge 36E, BANNOCK County
 Sec. 2, Twp 12S, Rge 36E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK 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	
11S	36E	25									28.0		17.0		40.0	37.0	9.3	29.0	160.3
11S	36E	35	15.0	4.0	17.0	9.6													45.6
11S	36E	36						3.5											3.5

POU Total Acres: 209.4

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. E62 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-11697, 29-11698, 29-11699, 29-11700 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
3. D08 The amount of water diverted under this water right and 29-14240 when combined may not exceed 1/4 of the stream flow of Big Creek and Maple Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 209.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-11697, 29-11698, 29-11699, 29-11700.
5. F01 WATER CAN BE DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).
6. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.19 CFS. COMBINED RIGHT NOS.: 29-11697,

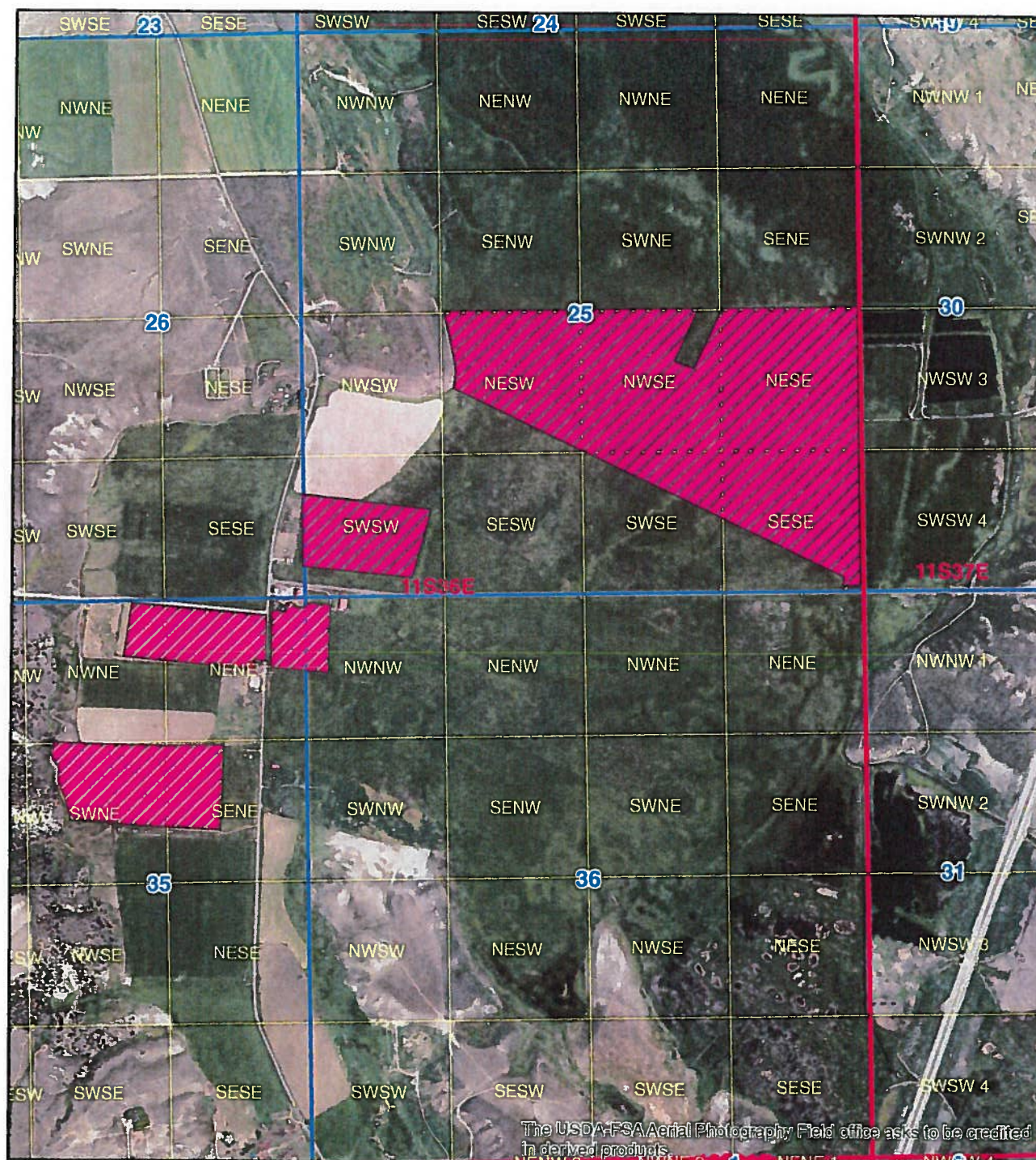
Proof Report

- 29-11698, 29-11699, 29-11700.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. 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.
9. B01 BIG CREEK IS ALSO KNOWN AS DRY HOLLOW.
10. MINES CANYON CREEK IS ALSO KNOWN AS MAPLE CREEK.

Comments:

1. aruberry 1/15/2003 PRIORITY DATE
DECREE DATE OF WAKLEY VS WAKLEY USED AS 6/9/1904
2. j barg 11/28/2017 Change of Ownership
water rgiht 29-11698 was split into 29-11698 & 29-14240
3. j barg 11/28/2017 POU
Updated Shape

Idaho Department of Water Resources



Legend

-  Place of Use 29-11697, 29-11698, 29-11700 , 29-11699
-  Township/Range
-  Sections
- QQ