

11/1/2017

Before Split

Page 8 of 15

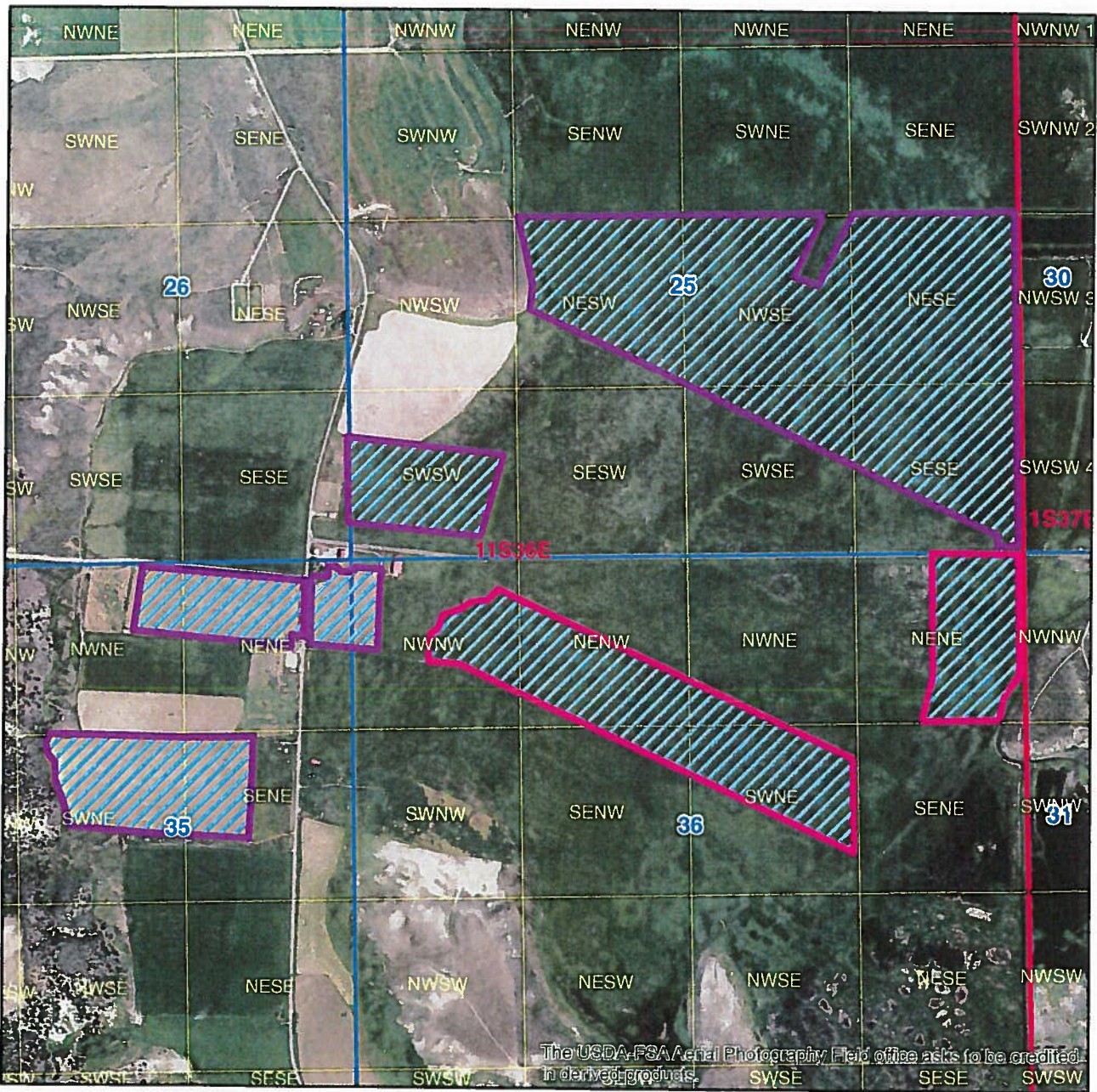
IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/1/2017

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.

- 7. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 8. D08 The amount of water diverted under this water right may not exceed 4/24 of the stream flow of Birch 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. 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.

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 29-11697

*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: 10/10/1878**Basis:** Decreed**Status:** Active**Source**

BIRCH CREEK

Tributary

MARSH 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

BIRCH CREEK	SESENE	Sec. 23, Twp 12S, Rge 36E,	BANNOCK County(R)
BIRCH CREEK	NENWNW	Sec. 36, Twp 11S, Rge 36E,	BANNOCK County
BIRCH CREEK	SENWSW	Sec. 27, Twp 12S, Rge 36E,	BANNOCK County
BIRCH CREEK	SENWSW	Sec. 27, Twp 12S, Rge 36E,	BANNOCK County
BIRCH CREEK	SENWSW	Sec. 27, Twp 12S, Rge 36E,	BANNOCK County(I)
BIRCH CREEK	SENWSW	Sec. 27, Twp 12S, Rge 36E,	BANNOCK County(I)

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						3.5											3.5

POU Total Acres: 209.4

Conditions of Approval:

1. 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.
2. 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, 29-11698, 29-11699, 29-11700.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

11/28/2017

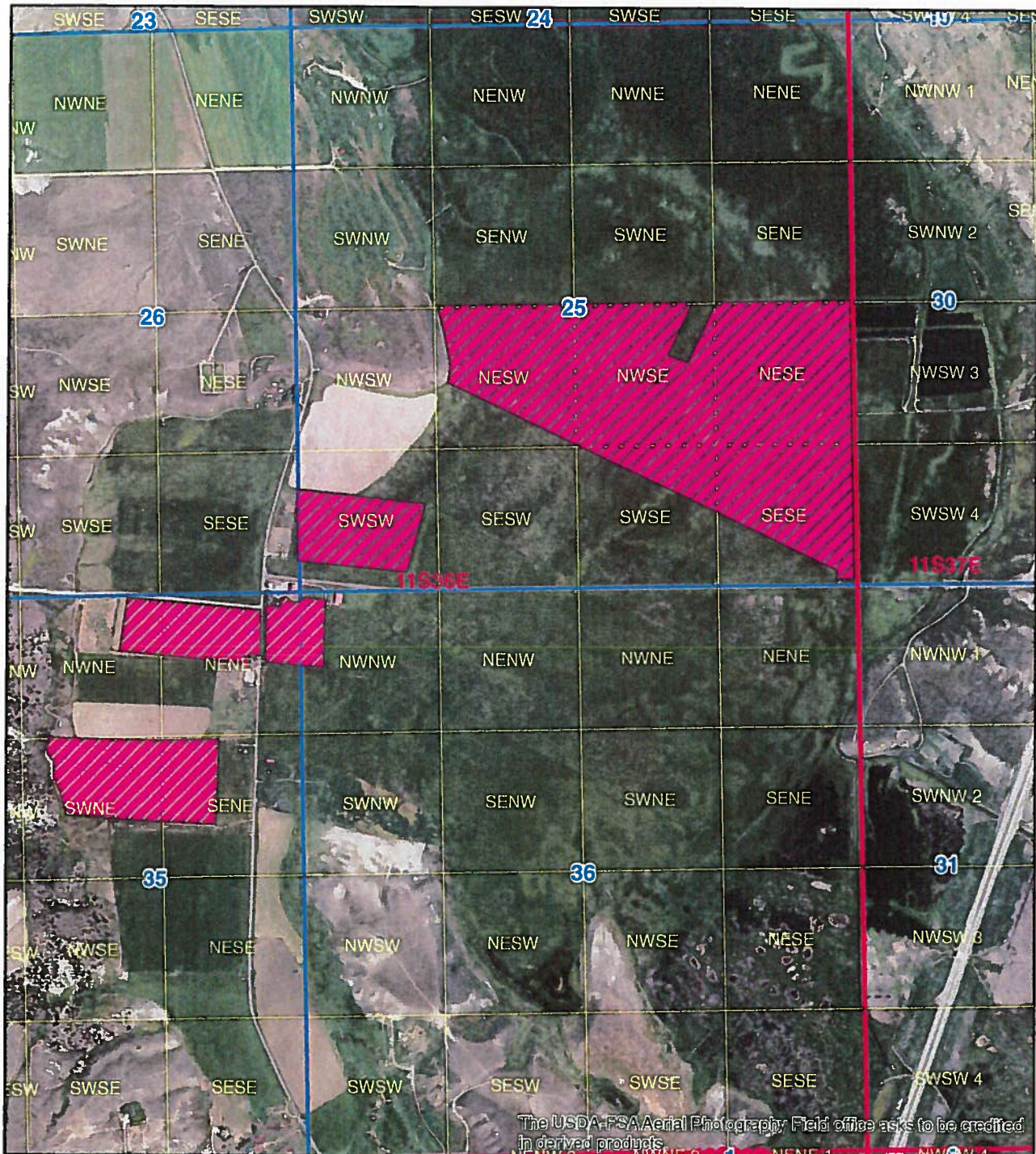
Proof Report

5. D08 The amount of water diverted under this water right and 29-14239 when combined may not exceed 4/24 of the stream flow of Birch 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.
6. 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.
7. G02 POINTS OF INJECTION INTO BIRCH CREEK. POINT OF REDIVERSION FROM BIRCH CREEK.
8. F01 WATER CAN BE DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).
9. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

1. aruberry 1/14/2003 change owner
C/O FILED 1/7/03
2. aruberry 1/14/2003 AMENDED
AMENDED TO DANIELS VS WOODLAND 1878.
3. jbarg 11/28/2017 Change of Ownership
water right 29-11697 was split into 29-11697 & 29-14239
4. jbarg 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