

IDAHO DEPARTMENT OF WATER RESOURCES

11/1/2017

Proof Report

Water Right 29-320

*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**
BIG CREEK
MAPLE CREEK**Tributary**
BIRCH CREEK
BIRCH CREEK**Beneficial Use**

IRRIGATION

From

04/01

To

10/31

Diversion Rate

4.780 CFS

Volume**Total Diversion**

4.780 CFS

Source and Point(s) of DiversionBIG CREEK
MAPLE CREEKSWNENW
NWNWNESec. 2, Twp 12S, Rge 36E, BANNOCK County
Sec. 35, Twp 11S, 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									10.0	17.0	14.0	28.0			30.0	9.9	108.9
11S	36E	26													11.0	2.2	18.0	34.0	65.2
11S	36E	35	1.1																1.1
11S	36E	36	12.0	8.1															20.1
11S	37E	30										8.5	35.0						43.5
												L3	L4						

POU Total Acres: 238.8

Conditions of Approval:

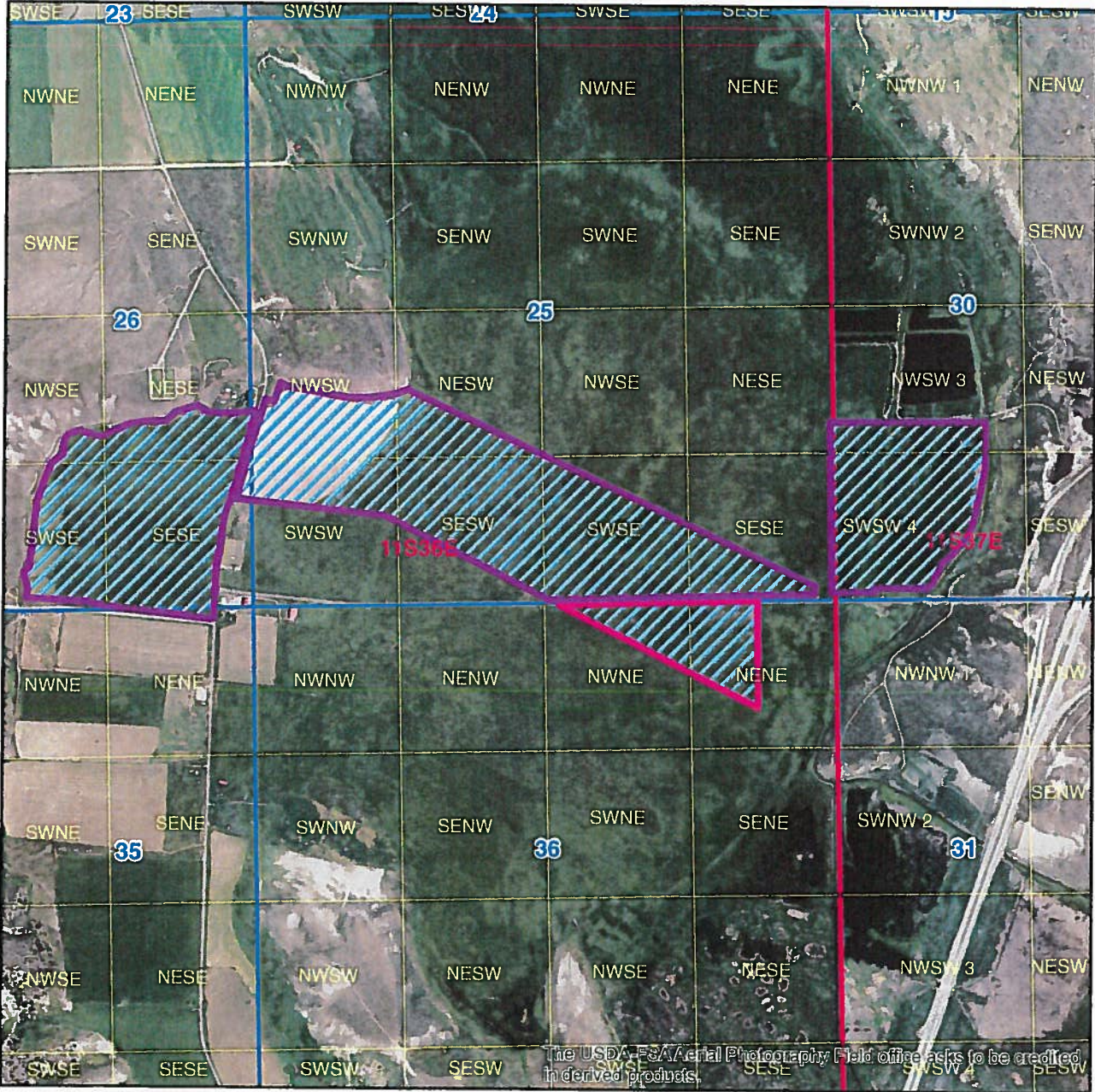
1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. F01 WATERS OF BIG CREEK ARE DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 238.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/1/2017

- COMBINED DIVERSION RATE OF 4.78 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.
6. 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.
 7. 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.
 8. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
 9. B01 UNNAMED STREAM IS ALSO KNOWN AS MAPLE CREEK.

Idaho Department of Water Resources



Legend

-  Heritage 29-320, 29-321 and 29-322
-  Eliason 29-320, 29-321 and 29-322
-  29-320, 29-321 & 29-322
-  Township/Range
-  Sections

QQ

IDAHO DEPARTMENT OF WATER RESOURCES

11/28/2017

Proof Report

Water Right 29-320

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**
BIG CREEK
MAPLE CREEK**Tributary**
BIRCH CREEK
BIRCH CREEK**Beneficial Use**
IRRIGATION**From To**
04/01 10/31
Total Diversion**Diversion Rate**
4.380 CFS
4.380 CFS**Volume****Source and Point(s) of Diversion**BIG CREEK
MAPLE CREEKSWNENW
NWNWNESec. 2, Twp 12S, Rge 36E, BANNOCK County
Sec. 35, Twp 11S, 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									10.0	17.0	14.0	28.0			30.0	9.9	108.9
11S	36E	26													11.0	2.2	18.0	34.0	65.2
11S	36E	35	1.1																1.1
11S	37E	30										8.5	35.0						43.5
												L3	L4						

POU Total Acres: 218.7

Conditions of Approval:

1. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.38 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. F01 WATERS OF BIG CREEK ARE DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).
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. D08 The amount of water diverted under this water right and 29-14234 when combined may

Proof Report

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.

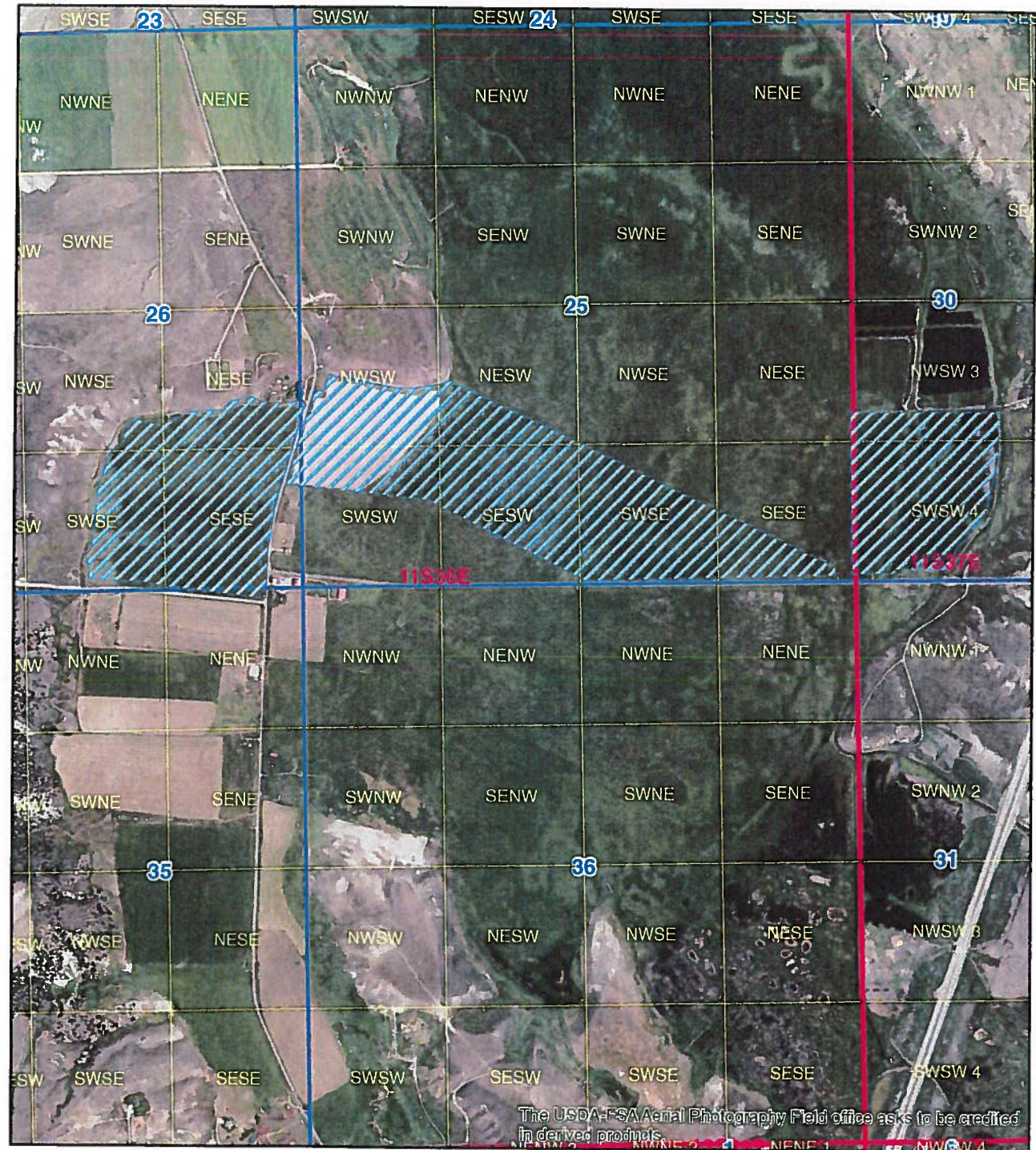
6. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
8. B01 UNNAMED STREAM IS ALSO KNOWN AS MAPLE CREEK.
9. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 218.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

Comments:

1. aruberry 6/10/2004 AMENDED DR
AMENDED DIRECTORS REPORT VERSION FROM SETTLEMENT CONFERENCE.

2. j barg 11/28/2017 Change of Ownership
water right 29-320 was split into 29-320 & 29-14234

3. j barg 11/28/2017 POU
Updated Shape



Legend

-  Place of Use 29-320, 29-321, 29-322
 Township/Range
 Sections
 QQ