

IDAHO DEPARTMENT OF WATER RESOURCES

11/18/2016

Proof Report

Water Right 23-38A

Before Split

Owner Type **Name and Address**
 Current Owner ANNA R GRIFFEL
 PO BOX 27
 SWAN VALLEY, ID 83449
 (208)483-3755

Current Owner EVERETT GRIFFEL
 PO BOX 27
 SWAN VALLEY, ID 83449
 (208)483-3755

Priority Date: 6/1/1890**Basis:** Decreed**Status:** Active

Source
 SOUTH FORK SNAKE RIVER
 UNNAMED STREAM
 RAINEY CREEK

Tributary
 SNAKE RIVER
 RAINEY CREEK
 SOUTH FORK SNAKE RIVER

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.060 CFS

Volume**Total Diversion**

1.060 CFS

Source and Point(s) of Diversion

SOUTH FORK SNAKE RIVER
 UNNAMED STREAM
 RAINEY CREEK

NWSWNE
 SESWNE
 NWNESW

Sec. 12, Twp 01N, Rge 43E, BONNEVILLE County
 Sec. 1, Twp 01N, Rge 43E, BONNEVILLE County
 Sec. 6, Twp 01N, Rge 44E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE 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	
01N	43E	1					32.0 L3	40.0 L4	40.0	35.0	40.0	40.0	30.0	30.0					287.0
01N	43E	2	23.0 L1		40.0	40.0									40.0	40.0			183.0
02N	43E	35																0.6	0.6
02N	43E	36											23.0	15.0					38.0

Right Acre Limit: 53.0

POU Total Acres: 508.6

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 53.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Proof Report

11/18/2016

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. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 508.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00023, 23-00037, 23-00038A, 23-00099.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE. ADDS UNNAMED STREAM.
5. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00023, 23-00037, 23-00038A, 23-00099.
6. THE SOUTH FORK SNAKE RIVER DIVERSION SHALL BE REGULATED AS A RAINEY CREEK DIVERSION UNDER RIGHT NOS. 23-00023, 23-00037, 23-00038A, 23-00099, ACCORDING TO PRIORITY DATE.
7. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.46 CFS. COMBINED RIGHT NOS.: 23-00023, 23-00037, 23-00038A, 23-00099.
8. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

1. aruberry 1/6/2004 TRANSFER #3605
SEE TRANSFER CONDITIONS.

2. jpeppers 6/1/2007 Water Right
This water right record was updated by decree record from old RightID 17005 to new RightID 573589

Dates and Other Information

Decreed Date: 10/21/2004

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Water District Number: 01

Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
10.460		508.6
23-23 ,23-37 ,23-38A ,23-99		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/15/2003	aruberry			Closed
POD	12/15/2003	aruberry			Closed
POU	12/15/2003	aruberry			Closed
Use	12/15/2003	aruberry			Closed

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2016

Season	12/15/2003	aruberry		Closed
Summary	12/15/2003	aruberry	12/15/2003	Closed
Source	12/15/2003	aruberry		Closed
Quantity	12/15/2003	aruberry		Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Priority Date	12/15/2003	aruberry	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POD	12/15/2003	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? Description for Question 6 - ERROR OF TRANSFER #3605
POD	12/15/2003	aruberry	Edited point location
POU	12/15/2003	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
POU	12/15/2003	aruberry	Edited shape boundary
POU	12/15/2003	aruberry	Edited PLS
Use	12/15/2003	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	12/15/2003	aruberry	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Summary	12/15/2003	aruberry	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	12/15/2003	aruberry	(Yes) 1. Is the basis of claim Decree or License?
Quantity	12/15/2003	aruberry	(Yes) 1. Is the basis of this claim a Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2016

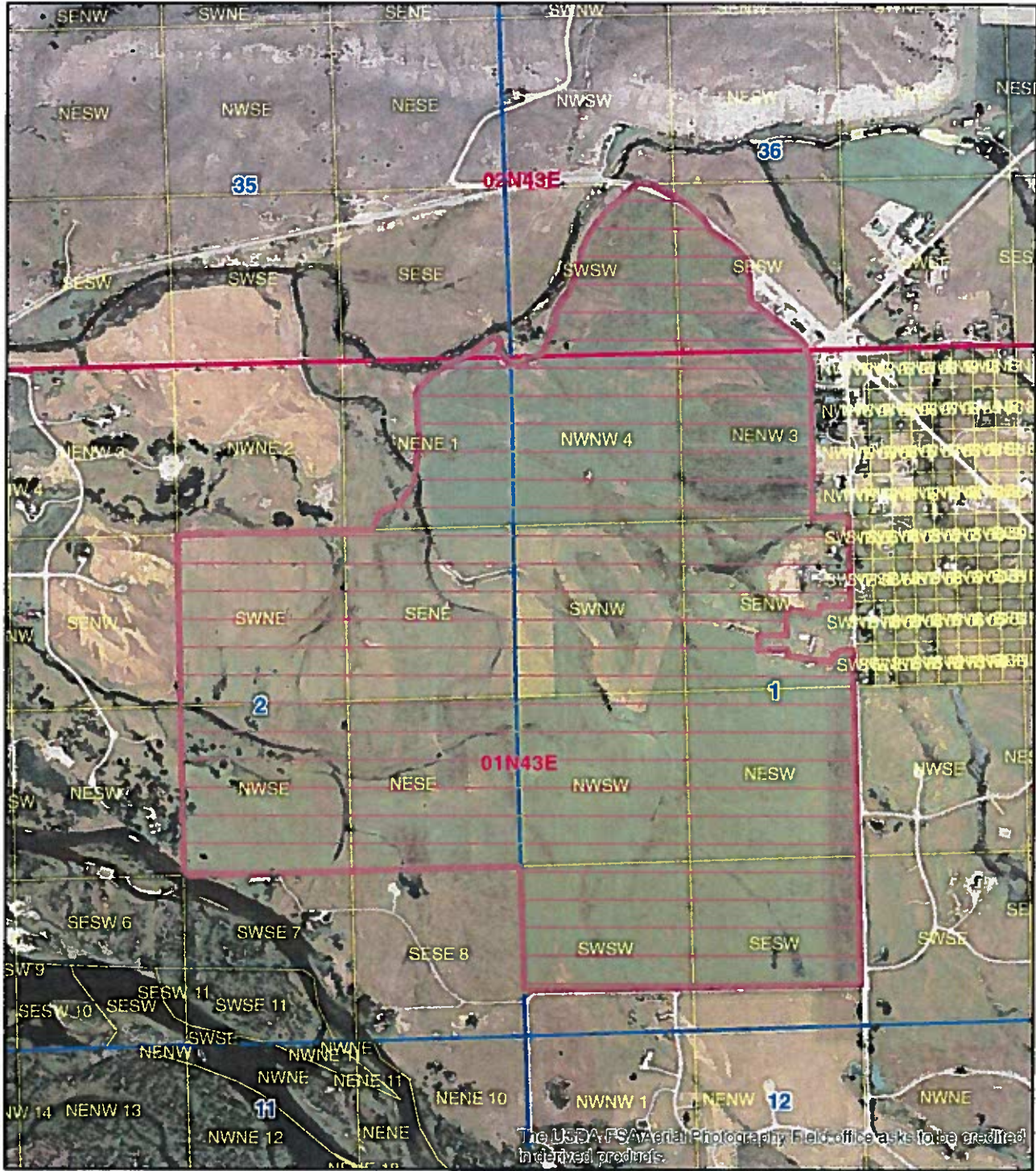
SubCase:

N/A

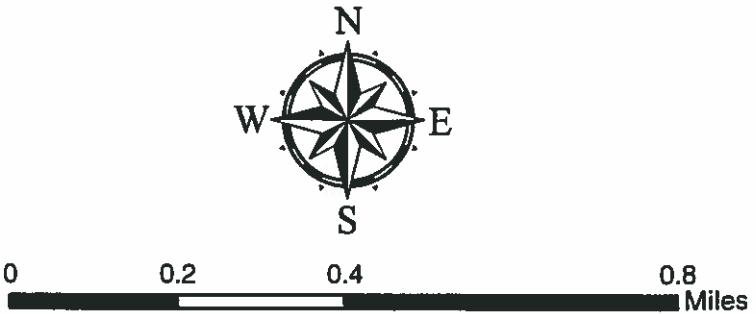
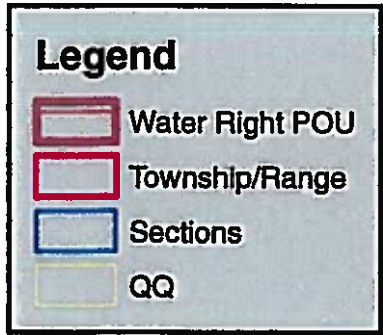
Water Supply Bank:

N/A

23-23, 23-37, 23-38A, and 23-99 Pre-Ownership Change Split



2015 Imagery



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After Split

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Source
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 UNNAMED STREAM
 RAINEY CREEK

Tributary
 SNAKE RIVER
 RAINEY CREEK
 SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.400 CFS	
	<u>Total Diversion</u>		0.400 CFS	

Source and Point(s) of Diversion

Source	Point(s) of Diversion	County
SOUTH FORK SNAKE RIVER	NWSWNE	Sec. 12, Twp 01N, Rge 43E, BONNEVILLE County
UNNAMED STREAM	SESWNE	Sec. 1, Twp 01N, Rge 43E, BONNEVILLE County
RAINEY CREEK	NWNESW	Sec. 6, Twp 01N, Rge 44E, BONNEVILLE County

Place Of Use

IRRIGATION within BONNEVILLE 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	
01N	43E	1							31.9	35.0	40.0	31.5	22.6	30.0					191.0

Right Acre Limit: 19.9

POU Total Acres: 191.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 19.9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 23-23, 23-37, 23-38A, and 23-99 when combined shall not exceed a total diversion rate of 3.93 cfs and the irrigation of 191.0 acres.
3. THE SOUTH FORK SNAKE RIVER DIVERSION SHALL BE REGULATED AS A RAINEY CREEK DIVERSION UNDER RIGHT NOS. 23-00023, 23-00037, 23-00038A, 23-00099, ACCORDING TO PRIORITY DATE.
4. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO

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5. F06 SECTION 42-1425, IDAHO CODE. ADDS UNNAMED STREAM.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 23-00023, 23-00037, 23-00038A, 23-00099.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Dates and Other Information

Decreed Date: 10/21/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: Or
Water District Number: 01
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.930		191.0
23-23 ,23-37 ,23-38A ,23-99		

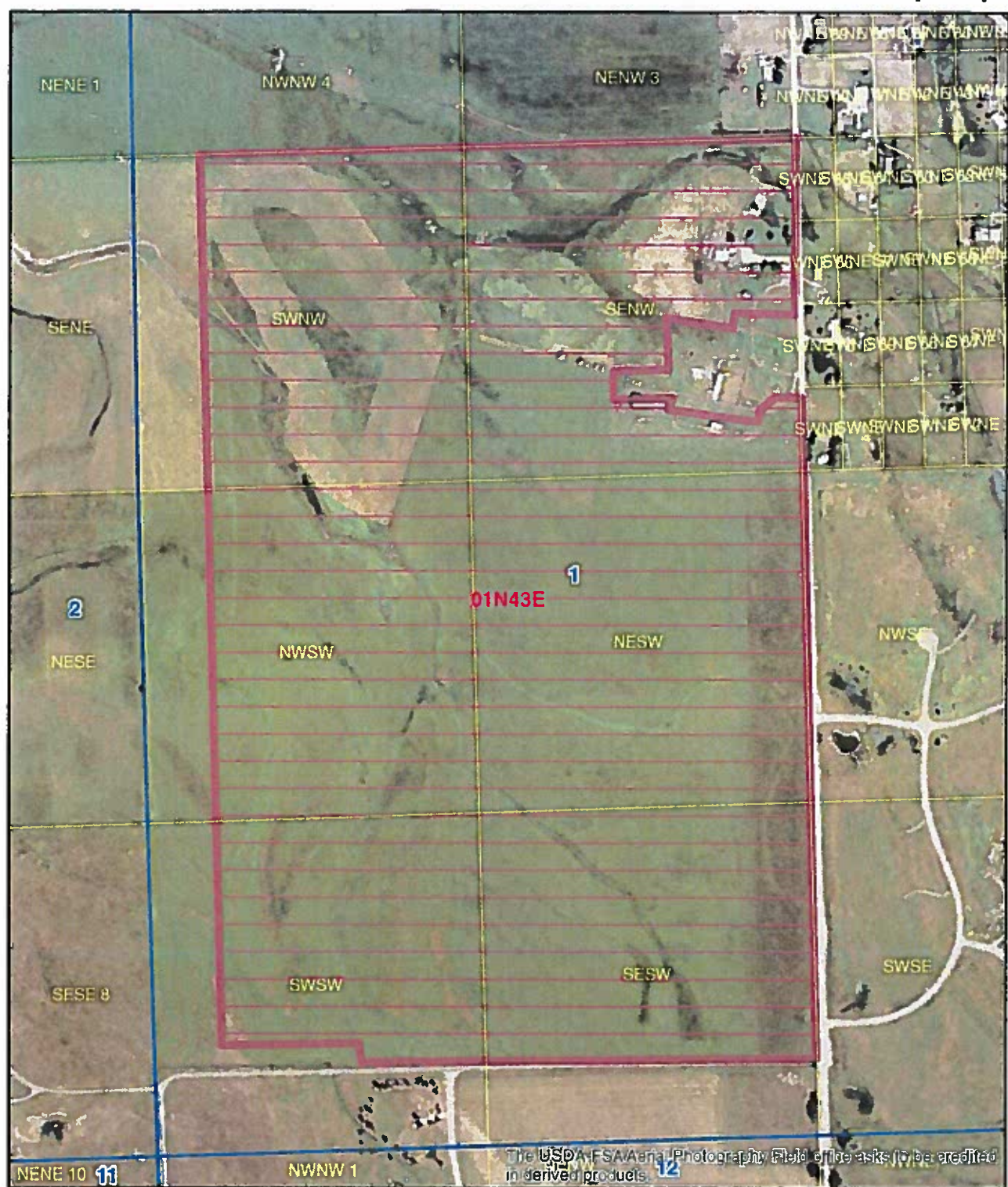
SubCase:

N/A

Water Supply Bank:

N/A

23-23, 23-37, 23-38A, and 23-99 Post-Ownership Split



2015 Imagery

