

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/11/2015

WATER RIGHT NO. 22-13953

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORVUE FARMS GENERAL PARTNERSHIP 1908 E 500 N ST ANTHONY, ID 83445 (208)624-3293
Attorney	RIGBY ANDRUS & RIGBY LAW PLLC PO BOX 250 REXBURG, ID 83440 (208)356-3633
Original Owner	NEDROW FARMS INC
Original Owner	WILLIAM W WOOD C/O DAN PAUL NEDROW PO BOX 845 REXBURG, ID 83440 (208)458-4530

Priority Date: 12/24/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	4.81 CFS	1751 AFA
Total Diversion			4.81 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNWNE	Sec. 25	Township 06N	Range 41E	MADISON County
GROUND WATER	NWNWNW	Sec. 25	Township 06N	Range 41E	MADISON County
GROUND WATER	NWNWNW	Sec. 25	Township 06N	Range 41E	MADISON County
GROUND WATER	SWSWNW	Sec. 25	Township 06N	Range 41E	MADISON County
GROUND WATER	NWNWNE	Sec. 26	Township 06N	Range 41E	MADISON County
GROUND WATER	SESENE	Sec. 26	Township 06N	Range 41E	MADISON County

IRRIGATION Use:

Acre Limit: 2034

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	42E	5	3	NENW	37	4	NWNW	48						
				NESW	30		NWSW	40		SWSW	40		SESW	37
			1	NENE	48	2	NWNE	48						
				NENW	44									
				NESW	6.6									
		7		NESE	40		NWSE	33		SESE	10			
				NENE	0.6									
				NENW	0.4		NWNW	16						
		8		NENE	36		NWNE	32		SWNE	39		SENE	25
				NENW	34		NWNW	32		SWNW	40		SENE	40
06N	41E	25		NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
				NENE	36		NWNE	40		SWNE	40		SENE	40
				NESE	40		NWSE	40		SWSE	40		SESE	40
				NWNE	32									
		26		NENE	40		NWNE	40		SWNE	40		SENE	36
				NENW	40		NWNW	40		SWNW	40		SENE	40
				NESW	40		NWSW	40		SWSW	36		SESW	40
		35		NESE	33		NWSE	40		SWSE	38		SESE	37
				NWNE	32									
		36		NENE	40		NWNE	40		SWNE	40		SENE	36
				NENW	40		NWNW	40		SWNW	40		SENE	40
		31		NESW	40		NWSW	37		SWSW	30		SESW	40
				NESE	33		NWSE	40		SWSE	38		SESE	37
	42E	30	2	SWNW	17									
				NESW	10	3	NWSW	39	4	SWSW	39		SESW	31
				SWSE	17									
		31		NENE	1		NWNE	28		SWNE	39		SENE	12
				NENW	40	1	NWNW	39	2	SWNW	39		SENE	40
				NESW	40	3	NWSW	37	4	SWSW	30		SESW	40

| | | NESE |27 | |NWSE |40 | |SWSE |40 | |SESE |35

Total Acres: 2724.6

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. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The
3. S38 use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. K06 This right is limited to the irrigation of 2034 acres within the place of use described above in a single irrigation season.
5. P21 This right is a split from former right 22-7385.
6. E56 The rights listed below are limited to the irrigation of a combined total of 2724.6 acres in a single irrigation season. Combined Right Nos.: 22-13945, 22-13947, 22-13949, 22-13951, and 22-13953.
7. F06 The following rights are diverted through points of diversion described above: 22-13945, 22-13946, 22-13947, 22-13948, 22-13949, 22-13950, 22-13951, 22-13952, 22-13953, and 22-13954.
8. U42 Place of use does not include State lands.
9. E61 The rights listed below are limited to a total combined diversion rate of 23.44 cfs and to a total combined annual diversion volume of 8540.2 AF. Combined Right Nos.: 22-13945, 22-13947, 22-13949, 22-13951, and 22-13953.
10. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Dates:

Licensed Date:

Decreed Date: 08/31/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 2724.6

Combined Volume Limit: 8540.2

Combined Rate Limit: 23.44

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

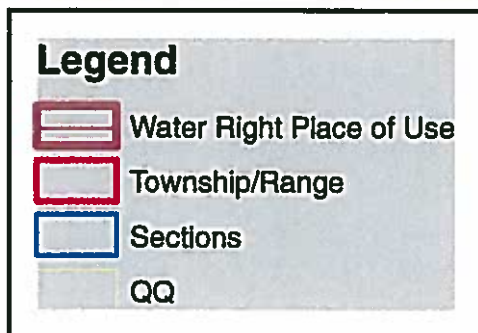
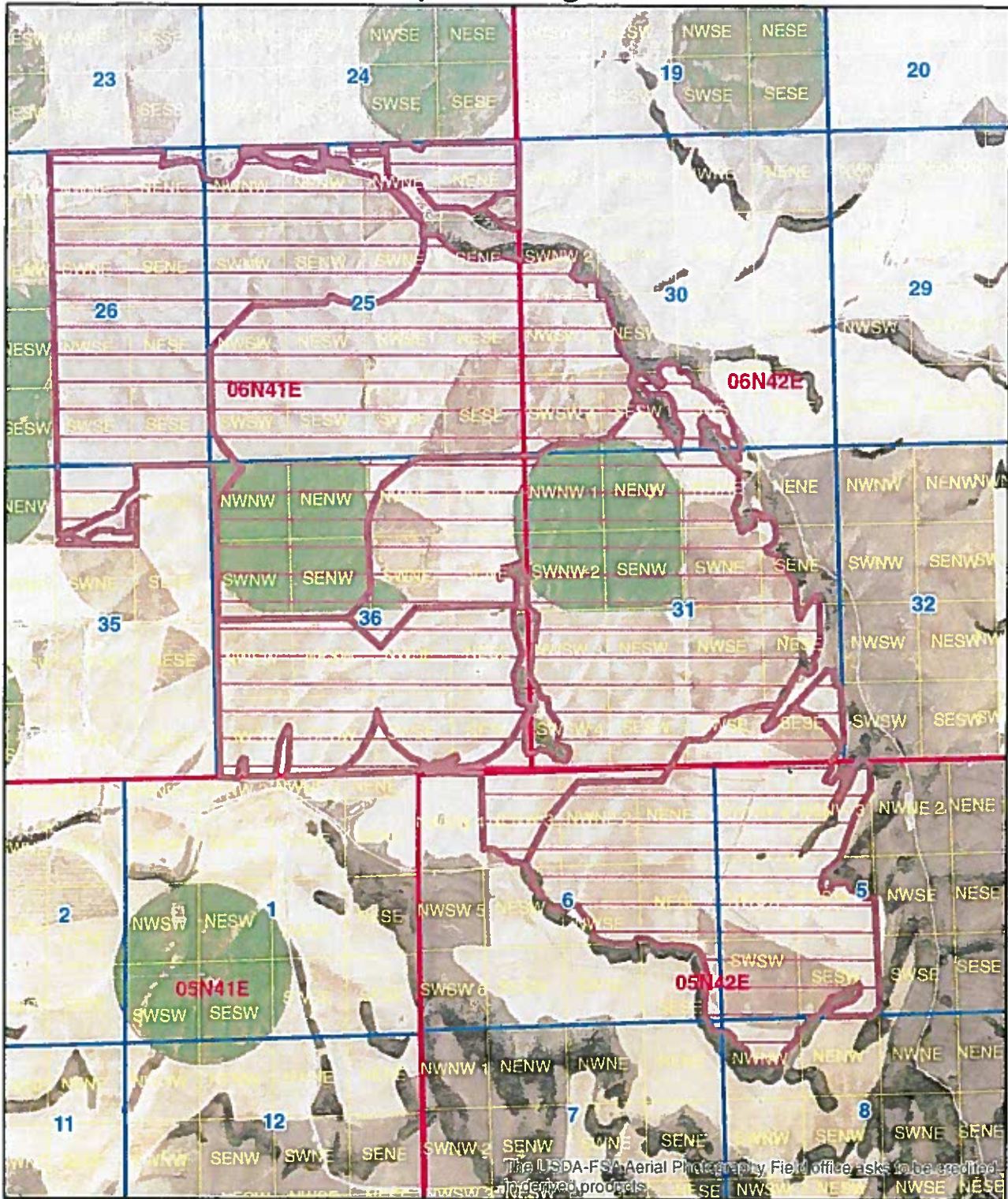
DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

22-13945, 22-13947, 22-13949, 22-13951, and 22-13953
Pre-Ownership Change Place of Use



9/12/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FROMOVER 9 LLC 1910 EAST 500 NORTH ST. ANTHONY, ID 83445

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.050 CFS	384.0 AF
	Total Diversion		1.050 CFS	384.0 AF

GROUND WATER	NWNWNW	Sec. 25, Twp 06N, Rge 41E,	MADISON County
GROUND WATER	SWNWNE	Sec. 25, Twp 06N, Rge 41E,	MADISON County
GROUND WATER	NWNWNW	Sec. 25, Twp 06N, Rge 41E,	MADISON County
GROUND WATER	SWSWNW	Sec. 25, Twp 06N, Rge 41E,	MADISON County
GROUND WATER	NWNWNE	Sec. 26, Twp 06N, Rge 41E,	MADISON County
GROUND WATER	SESENE	Sec. 26, Twp 06N, Rge 41E,	MADISON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
06N	41E	25	32.5	27.1	28.0		32.5	32.0	40.0	39.5		8.0	4.0						243.6
06N	41E	26	36.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	316.0
06N	41E	35		32.0															32.0
06N	41E	36						6.0											6.0

POU Total Acres: 597.6

1. X27 This right is limited to the irrigation of 459.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 22-13945, 22-13947, 22-13949, 22-13951, and 22-13953 when combined shall not exceed a total diversion rate of 5.14 cfs, a total annual maximum diversion volume of 1,870.6 af at the field headgate, and the irrigation of 597.6 acres.
3. 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.

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4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. S38 The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. U42 Place of use does not include State lands.
7. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Comments:

1. mholliday 1/25/2010 SF5

Version 2 prepared to resolve IDL objection. Original recommendation 22-7385 was split. This recommendation contains only the land owned by the claimant. The IDL portion of 22-7385 is now shown as 22-13954. License 22-7385 was issued in April 1998. However, comments on the permit for 22-7385 dated 6-24-82 and on Keith Wilsons beneficial use field exam done on 7-17-87 indicate that there were 6 interconnected wells serving the entire permissible pou prior to 11-19-1987. The map used for determining the licensed acres was used to create the pou shape. Due to the use of arcmap, the legal description of the pou differs slightly. Therefore recommending accomplished transfer in pou. However the version 1 recommendation showed one pod in the SWNE of section 26. That well was not completed until 2004 and therefore does not qualify as an accomplished transfer. The pods are being recommended consistent with the licenses for 22-7068, 22-7302, and 22-7385. Conditions were also adjusted for SF5.

2. Ownership Change 9/7/2016 Split Right
Split into 22-14247 and 22-14248. and 22-14249. and 22-14250. and 22-14251.

3. cfritz 9/7/2016 POU
Updated Shape

Dates and Other Information

Decreed Date: 8/31/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.140	1,870.6	597.6
22-13945 ,22-13947 ,22-13949 ,22-13951 ,22-13953		

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>
Summary	1/25/2010	mholliday	1/25/2010	mholliday	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
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POD	1/25/2010	mhollday	Updated Shape
POD	1/25/2010	mhollday	Updated PLS
POU	1/25/2010	mhollday	Updated Shape
POU	1/25/2010	mhollday	Updated PLS
Summary	1/25/2010	mhollday	(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? (Yes) 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?

SubCase:

N/A

Water Supply Bank:

N/A

22-13945, 22-13947, 22-13949, 22-13951, and 22-13953 Post-Ownership Split Place of Use

