

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 43-7052

12/22/2015

Owner Type **Name and Address**
 Current Owner WEBB BASIN REAL ESTATE LLC
 406 N HISAW LN
 AMERICAN FALLS, ID 83211
 (208)349-5757

Priority Date: 7/2/1973

Basis: Decreed

Status: Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	5.370 CFS	
	<u>Total Diversion</u>		5.370 CFS	

Source and Point(s) of Diversion

GROUND WATER	L2(NESWNW)	Sec. 31, Twp 09S, Rge 28E,	CASSIA County
GROUND WATER	NESWSW	Sec. 29, Twp 09S, Rge 28E,	CASSIA County
GROUND WATER	SWSESE	Sec. 30, Twp 09S, Rge 28E,	CASSIA County
GROUND WATER	SENWSE	Sec. 29, Twp 09S, Rge 28E,	CASSIA County
GROUND WATER	SWSESE	Sec. 30, Twp 09S, Rge 28E,	CASSIA County

Place Of Use

IRRIGATION within CASSIA 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	
09S	27E	25																15.0	15.0
09S	27E	36	15.0			1.6													16.6
09S	28E	19												32.0					32.0
09S	28E	28						37.0	40.0	34.0	34.0	33.0	35.0	33.0		40.0	31.0	30.0	347.0
09S	28E	29	40.0	21.0	40.0	40.0	37.0	31.0	41.0	40.0	41.0	41.0	41.0	41.0	40.0	41.0	41.0	38.0	614.0
09S	28E	30	34.0	40.0	41.0	41.0	41.0	45.0	45.0	40.0	40.0	46.0	36.0	39.0	41.0	41.0	41.0	41.0	652.0
								L1	L2				L3	L4					
09S	28E	31	29.0	19.0			12.0	24.0	12.0										96.0
								L1	L2										
09S	28E	32	4.3	11.0			17.0	24.0											56.3
09S	28E	33						3.9											3.9

Right Acre Limit: 1,583.0

POU Total Acres: 1,832.8

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1583 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS

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- EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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.
3. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1832.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.
 4. F02 TWO POINTS OF DIVERSION LOCATED IN T09S, R28E, S30, SWSESE.
 5. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 18.74 CFS. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, & 43-07052.
 6. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7331 AF. COMBINED RIGHT NOS.: 43-02567B, 43-02568, 43-02579, 43-07046, 43-07047, 43-07052, & 43-07088A.
 7. E55 USE OF THIS RIGHT WITH RIGHT NO. 43-02567B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1583 ACRES IN A SINGLE IRRIGATION SEASON.
 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.

Comments:

1. cyenter 12/27/2008 POD
PODID 517233 correlated from SpatialDataID 216572 to SpatialDataID 216577

2. amerritt 12/22/2015 WR Termination/Status Change
Transfer No. 73338 approved in 2007 for drying up 75.8 acres for development of a dairy was never accomplished. The 75.8 acres have remained irrigated. On 12/21/2015 the right holders requested the transfer be rescinded. Pursuant to Order dated 12/22/2015 the transfer No. 73338 is rescinded. Children rights 43-13470 thru 43-13483 created by the transfer have been de-activated. Parent rights: 43-2567B, 43-2568, 43-2579, 43-7046, 43-7047, 43-7052 and 43-7088A have been re-activated.

Dates and Other Information

Decreed Date: 9/12/2002
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>
18.740		
43-2568 ,43-2567B ,43-7052 ,43-2579 ,43-7046 ,43-7047		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>

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1,583.0

43-2567B ,43-7052

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
20.060	7,331.0	1,832.8
43-2568 ,43-2567B ,43-7052 ,43-2579 ,43-7046 ,43-7047 ,43-7088A		

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>
Contacts	11/3/2000	jroberts			Closed
Priority Date	11/3/2000	jroberts			Closed
POD	11/3/2000	jroberts			Closed
Source	11/3/2000	jroberts			Closed
Use	11/3/2000	jroberts			Closed
POU	11/3/2000	jroberts			Closed
Season	11/3/2000	jroberts			Closed
Quantity	11/3/2000	jroberts			Closed
Summary	11/3/2000		11/3/2000	jroberts	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Contacts	11/3/2000	jroberts	1. Appointment has not been scheduled. Comment for 1: Field exam conducted in 1994. jr
Priority Date	11/3/2000	jroberts	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	11/3/2000	jroberts	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (YES) Point of Diversion remark was required. 9. (NO) Point of Diversion condition was not required.
Source	11/3/2000	jroberts	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
POD	11/3/2000	jroberts	Edited point location
POD	11/3/2000	jroberts	Edited PLS
Use	11/3/2000	jroberts	1. (NO) The basis of claim is not beneficial use.

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			2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
POU	11/3/2000	jroberts	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Season	11/3/2000	jroberts	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Quantity	11/3/2000	jroberts	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Summary	11/3/2000	jroberts	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
POD	12/27/2008	cyenter	PODID 517233 correlated from SpatialDataID 216572 to SpatialDataID 216577

SubCase:

SubCaseNumber: 43-7052

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date: 7/31/2002

Attorney Assigned:

Adjudication Agent: Jean Robertson

Basis of Claim:

Date Filed:

Objection Status:

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Water Supply Bank:
N/A