

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/29/2015

Water Right 29-328A

Owner Type **Name and Address**
 Current Owner KENNETH M WILLIAMS
 26132 S DOWNATA RD
 DOWNEY, ID 83234
 (208)897-5718

Current Owner DONNA B WILLIAMS
 26132 S DOWNATA RD
 DOWNEY, ID 83234
 (208)897-5718

Priority Date: 10/10/1878

Basis: Decreed

Status: Active

Source
 BIRCH CREEK

Tributary
 MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.550 CFS	
	<u>Total Diversion</u>		0.550 CFS	

Source and Point(s) of Diversion

BIRCH CREEK	SESENE	Sec. 23, Twp 12S, Rge 36E,	BANNOCK County(R)
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

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	36E	12					2.7	7.3	15.0	2.5									27.5

POU Total Acres: 27.5

Conditions of Approval:

1. X35 Rights 29-328A and 29-13469 when combined shall not exceed a total diversion rate of 0.55 cfs and the irrigation of 27.5 acres.
2. D08 The amount of water diverted under this water right may not exceed 0.91% 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 0.02 cubic feet per second per acre at any time.
3. F01 Water is delivered through Birch Creek Canal/Ditch.
4. F02 Two points of diversion and two points of injection located in the NWSW of Section 27, T12S R36E.

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5. G01 Point of injection into and point of redirection from Birch Creek.
6. C03 Right includes accomplished change in point of diversion 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. 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.

After Split

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Current Owner DONNA B WILLIAMS
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DOWNEY, ID 83234
(208)897-5718

Priority Date: 10/10/1878

Basis: Decreed

Status: Active

Source
BIRCH CREEK

Tributary
MARSH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.200 CFS	
	Total Diversion		0.200 CFS	

Source and Point(s) of Diversion

BIRCH CREEK	SESENE	Sec. 23, Twp 12S, Rge 36E,	BANNOCK County(R)
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

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	36E	12					2.7	7.3											10.0

POU Total Acres: 10.0

Conditions of Approval:

1. X35 Rights 29-328A, 29-13469 and 29-14168 when combined shall not exceed a total diversion rate of 0.55 cfs and the irrigation of 27.5 acres.
2. D08 The amount of water diverted under this water right may not exceed 0.29% 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 0.02 cubic feet per second per acre at any time.
3. F01 Water is delivered through Birch Creek Canal/Ditch.
4. F02 Two points of diversion and two points of injection located in the NWSW of Section 27, T12S R36E.

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