

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 29-14164

10/26/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RHONDA BODLAK 746 FOERSTER ST SAN FRANCISCO, CA 94127-2306 510-435-5079
Current Owner	ROBERT BODLAK 746 FOERSTER ST SAN FRANCISCO, CA 94127-2306 510-435-5079
Original Owner	DAVID BOLINBROKE , ID
Original Owner	MARY E BOLINBROKE , ID
Previous Owner	GLEN BOLINGBROKE 4365 S EPH LN ARBON, ID 83212 (208)335-2181
Previous Owner	DALE BOLINGBROKE PO BOX 15 ARBON, ID 83212 (208)241-2188

Priority Date: 4/1/1897

Basis: Decreed

Status: Active

Source
RATTLESNAKE CREEK

Tributary
BANNOCK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.130 CFS	
	<u>Total Diversion</u>		0.130 CFS	

Source and Point(s) of Diversion

RATTLESNAKE CREEK NESWSE Sec. 35, Twp 09S, Rge 34E, POWER County

Place Of Use

IRRIGATION within POWER 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	
10S	34E	7				6.8									12.0	24.0	33.0		75.8

POU Total Acres: 75.8

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Water Right 29-14164**Conditions of Approval:**

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-14164, 29-14165, 29-14166 and 29-14167.
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.
4. This water right will be delivered in accordance with the 1990 Fort Hall Indian Water Rights Agreement and Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin. The parties agreed to "continue the historic water allocations pursuant to the Bannock Creek Decree [the decree in United States v. Daniels, (D. Idaho April 9, 1907, unpublished)]." Directors Report for the 1990 Fort Hall Indian Water Rights Agreement, p. 8 para. 4. "The Tribes and the United States shall exercise this right in a manner that ensures persons with water rights decreed in the Bannock Creek Decree [United States v. Daniels (D. Idaho April 9, 1907)] and that are confirmed in the SRBA continue to receive their full legal entitlement." Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin, p. 19-20, 25-26, Right Nos. 29-12848 and 29-12049 respectively (August 2, 1995). In times of shortage, this water right and other water rights decreed in United States v. Daniels, shall receive their full legal entitlement despite the federal based natural flow water right nos. 29-466, 29-467, 29-469, 29-470, 29-471, 29-472, 29-473, 29-474, 29-12049 and 29-12848.

Comments:

1. jhersley 10/26/2015 split right
This water right is the result of split from 29-477 due to change in ownership.
2. jhersley 10/26/2015 POD
Updated Shape
3. jhersley 10/26/2015 POU
Updated Shape

Dates and Other Information

Decreed Date: 4/3/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

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Water Supply Bank:
N/A