

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 2-10209
AFTER SPLIT

2/26/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK A MC DONOUGH PO BOX 74 MELBA, ID 83641 (208) 331-1800
Original Owner	COTTONWOOD MUTUAL CANAL CO C/O RINGERT LAW CHARTERED PO BOX 2773 BOISE, ID 83701 (208)342-4591

Priority Date: 2/25/1963
Basis: Decreed
Status: Active
Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.120 CFS	20.1 AF
	<u>Total Diversion</u>		0.120 CFS	20.1 AF

Source and Point(s) of Diversion

SNAKE RIVER	L4(SESWSW)	Sec. 31, Twp 01N, Rge 02W, CANYON County
SNAKE RIVER	L2(NWSE)	Sec. 6, Twp 01S, Rge 02W, CANYON County

Place Of Use

IRRIGATION within CANYON 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	
01S	02W	5						2.0											2.0
								L4											
01S	02W	6	4.0																4.0
			L4																

POU Total Acres: 6.0

Conditions of Approval:

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION LOCATED AT T01S R02W SEC 6 LOT 2 (NWSE): 2-2240, 2-2431, 2-10209 and 2-10511.
2. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 90.24 CFS. COMBINED RIGHT NOS.: 2-103, 2-4021, AND ALL PARTS OF BASE RIGHT 2-2209 INCLUDING 2-2209B, 2-2209C, 2-2209E, 2-10187, 2-10189, 2-10191, 2-10196, 2-10208, 2-10209 and 2-10511
3. C18 This partial decree is subject to such general provisions necessary for the definition of

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- 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. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-10195.
 5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
 6. WB4 The total instantaneous diversion of water from all points of diversion under Right 2-10209 shall not exceed 0.22 cfs, nor total combined annual volume of 36.8 af.
 7. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval.
 8. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 9. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 11. T08 Failure of the right holder to comply with the conditions of Transfer No. 69980 is cause for the Director to rescind approval of the transfer.

Comments:

1. scurtis 7/9/2003 Transferred Right
This is now a approved transfer, transfer number = 69980
2. sking 10/28/2003 POU Shape
Place of use shapefile is nominal QQ tracts as more detailed data is not available. Transfer did not clearly depict new place of use, although transfer did indicate that this right is not intended to overlap 2-2240 and 2-2431.
3. sking 11/4/2003 Review
Recommendation based on license and Transfer 69980 approved July 8, 2003.
4. shemenway 9/26/2013 Correct POU Shape
Mr. McDonough came into the office and confirmed the actual POU location instead of the entire QQ designation as was shown on the shapefile. To legally change this decreed water right, it would require a transfer to be filed to correct the legal description (a copy of a application for transfer was emailed to Mr. McDonough). For the water supply bank rental application purposes, the map determination was to confirm that this water right did not overlap with the water rights to be used for the rental application. The correct shapefile and shapes drawn by Mr. McDonough that were initialed and dated (for WSB purposes) can be found at: N:\WRDocs\WSB\WSB Processing Documents\2013 Lease-Rental\2013 Rentals\McDonough/Overlaps.

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- | | | | |
|----|--|-----------|-------------|
| 5. | shemenway | 10/1/2013 | POU |
| | Updated Shape | | |
| 6. | Ownership Change | 2/26/2015 | Split Right |
| | Split into 2-10511 and 2-10209 due to change in ownership. | | |
| 7. | jhersley | 2/26/2015 | POU |
| | Updated Shape | | |

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 2-10209
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: sking (N/A)
Basis of Claim: License
Date Filed: 12/4/2007
Objection Status: Active

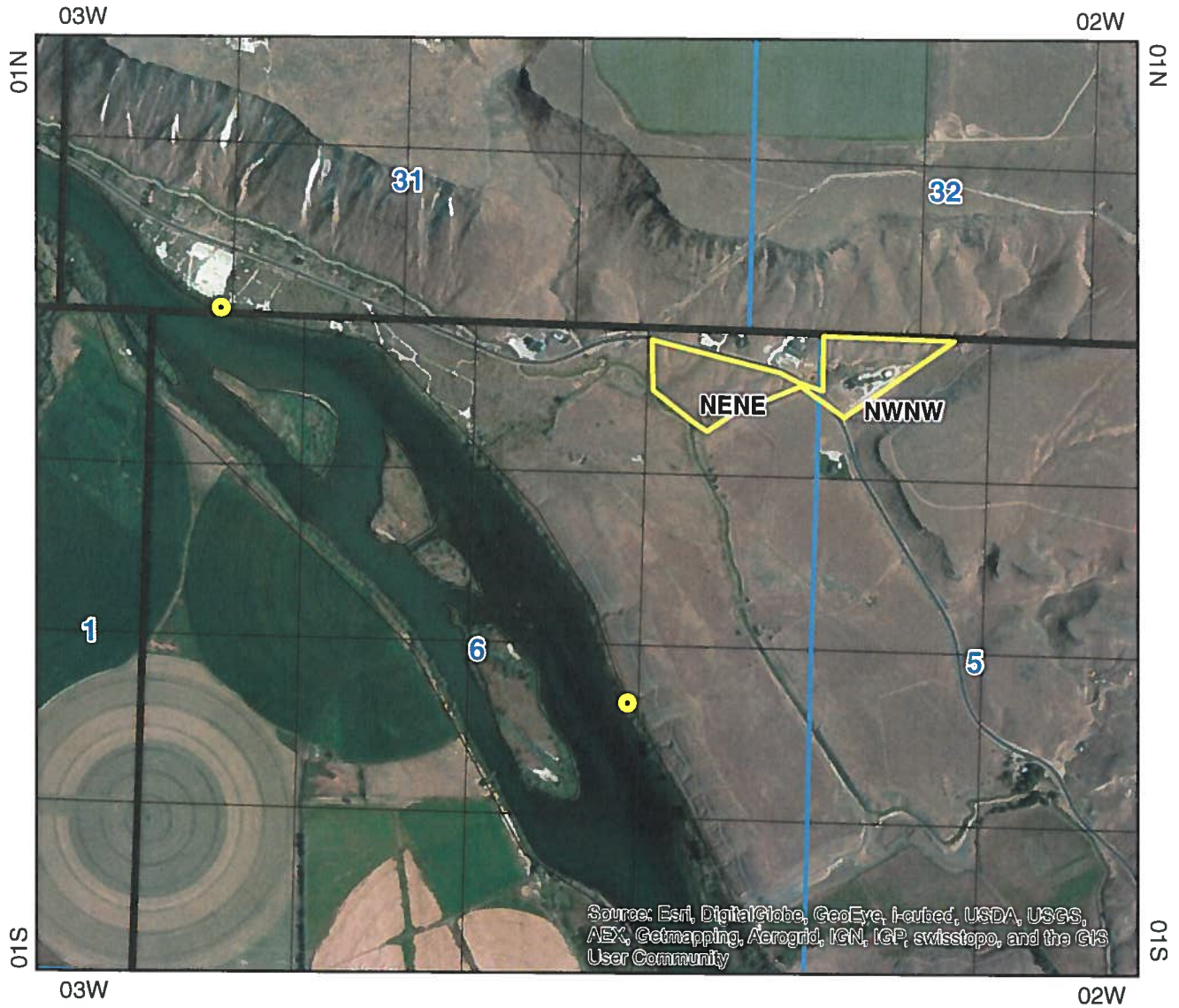
Water Supply Bank:

Lessor Name: MARK A MC DONOUGH
Lease Status: Active
Lease Amount: All
Rental Availability: All
Date Received: 3/16/2004
Lease Begin Date: 3/16/2004
Expiration Date: INDEFINITE

State of Idaho
Department of Water Resources
Water Right License

2-10209

After split



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.15 0.3 0.6 Miles



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- 2-10189, 2-10191, 2-10196, 2-10208, & 2-10209.
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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Donough/Overlaps.

5. shemenway 10/1/2013 POU
Updated Shape

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N/A

SubCase:

SubCaseNumber: 2-10209

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: sking (N/A)

Basis of Claim: License

Date Filed: 12/4/2007

Objection Status: Active

Water Supply Bank:

Lessor Name: MARK A MC DONOUGH

Lease Status: Active

Lease Amount: All

Rental Availability: All

Date Received: 3/16/2004

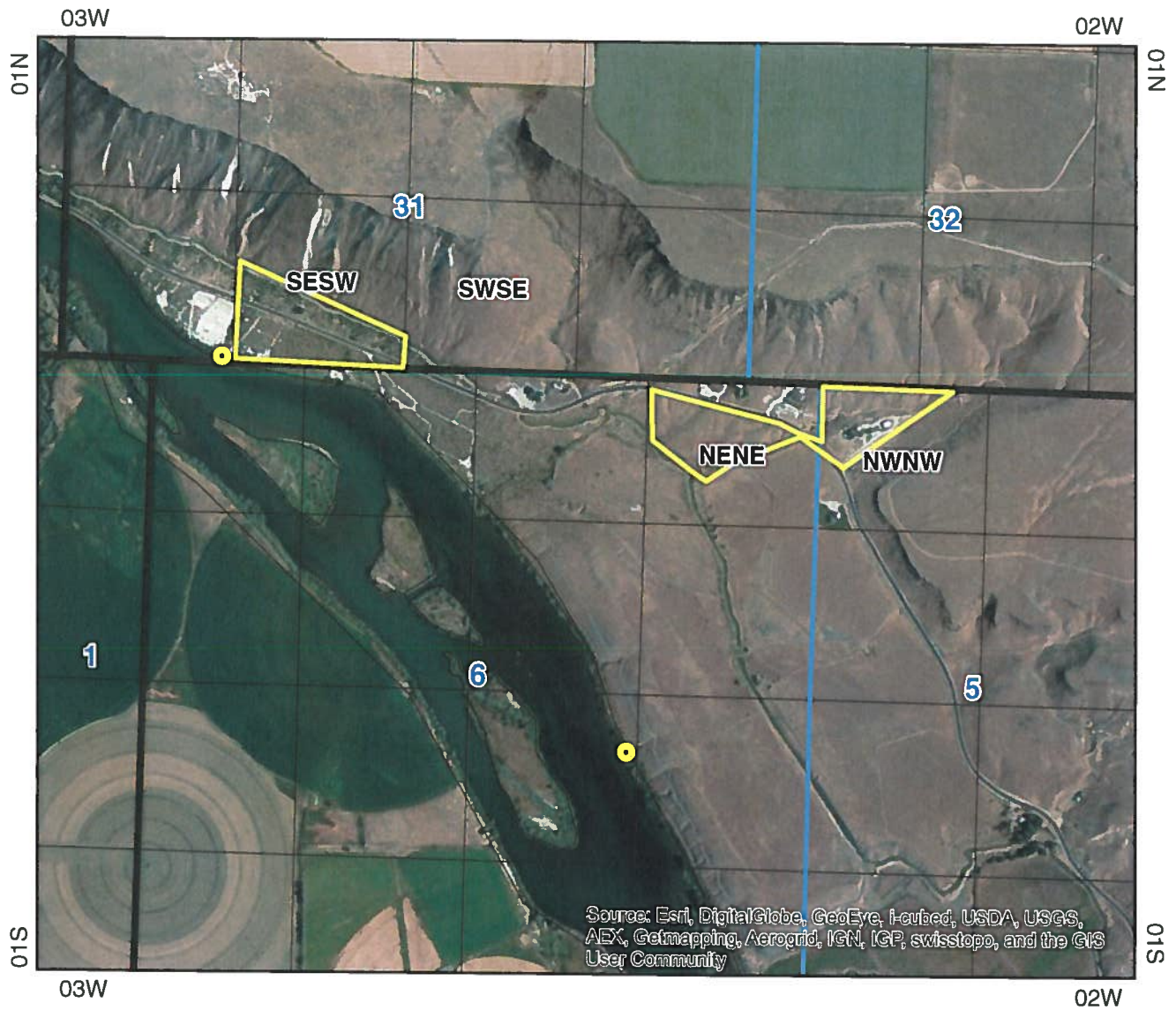
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Expiration Date: INDEFINITE

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