

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/12/2013

**Water Right 23-11439**

|                          |                                                                                       |
|--------------------------|---------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                        |
| Current Owner            | B & H REAL ESTATE ENTERPRISES LLC<br>3300 WASHINGTON PARKWAY<br>IDAHO FALLS, ID 83404 |

**Priority Date:** 1/22/1916

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| RAINEY CREEK         | SOUTH FORK SNAKE RIVER  |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 04/15                         | 10/31            | 0.430 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.430 CFS                    |                      |

**Source and Point(s) of Diversion**

|              |        |                                              |
|--------------|--------|----------------------------------------------|
| RAINEY CREEK | SENWSE | Sec. 33, Twp 02N, Rge 44E, BONNEVILLE County |
|--------------|--------|----------------------------------------------|

**Place Of Use**

IRRIGATION within BONNEVILLE County

| Twp | Rng | Sec | NE   |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |     | Totals |
|-----|-----|-----|------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|--------|
|     |     |     | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  |        |
| 01N | 44E | 5   | 16.7 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     | 16.7   |
| 02N | 44E | 32  |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3.0 | 3.0    |

Right Acre Limit: 19.7

POU Total Acres: 19.7

**Conditions of Approval:**

1. X27 This right is limited to the irrigation of 19.7 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 23-11435, 23-11436, 23-11437, 23-11438 and 23-11439 when combined shall not exceed a total diversion rate of 0.45 cfs, and the irrigation of 19.7 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. 01H Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. 01R When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.