

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-7634

WATER RIGHT NUMBER: 13-7634

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT & OLIVIA BOYACK LIVING TRUST 3168 E HWY 36 PRESTON, ID 83263 (208)852-0448

Priority Date: 11/12/1888

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 11/01	1.000 CFS	
STOCKWATER	01/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SW1/4	Sec. 20, Twp 14S, Rge 40E, B.M.
FRANKLIN County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	40E	20															5.0	20.0	25.0
14S	40E	29	20.0	15.0															35.0

Total Acres: 60

STOCKWATER same as IRRIGATIONConditions of Approval:

1. Stockwater use is for 175 cattle.

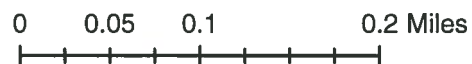
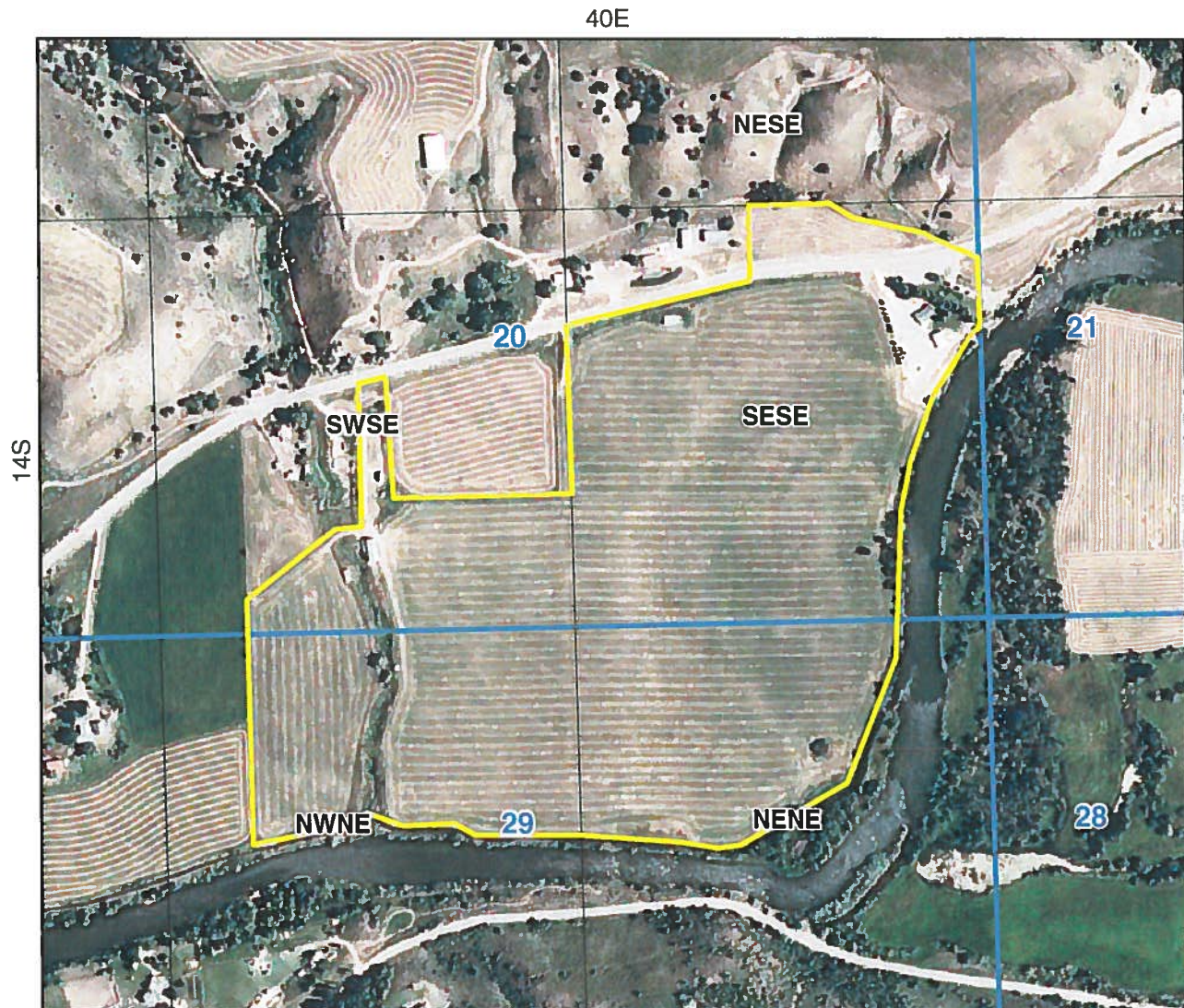
Comments:

jcefalo 2/26/2013 Ownership Change

Comment: In 2003, Claim 13-4274 was split into 13-7633 (Smith) and 13-7634 (Boyack). Boyack recently purchased additional acres under the original right. Rather than split the water rights again, I have adjusted the amounts under the existing rights to reflect the current ownership.

The statutory claim filed by Wendell Smith in 1983 contains inconsistencies in the place of use. The legal description grid is not consistent with the map filed. Using aerial photography (actual location of the ditches) and the map from the claim, there are approximately 104 acres identified on the map, even though the claim only described 90 acres of irrigation. Of the 104 acres shown on the map, Bob & Olivia Boyack own 69.5 acres, or 2/3 of the irrigated acres. Water right split is based on this ratio.

February 26, 2013



-  Place Of Use Boundary
 Townships
 PLS Sections
 Quarter Quarters