

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-2335

WR Report **BEFORE** ownership change split

WATER RIGHT NUMBER: 43-2335

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROL J WOODBURY 152 N YALE RD DECLO, ID 83323 (208)349-5591
Current Owner	LYLE D WOODBURY 152 N YALE RD DECLO, ID 83323 (208)349-5591
Original Owner	CARL FOLLETT HEGLAR RT AMERICAN FALLS, ID 83211

Priority Date: 04/08/1949

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	4.000 CFS	1,132.00 AF
	<u>Total Diversion:</u>	4.000 CFS	1,132.00 AF

Location of Point(s) of Diversion

GROUND WATER CASSIA County	SE1/4NE1/4SW1/4	Sec. 18, Twp 10S, Rge 28E, B.M.
GROUND WATER CASSIA County	SW1/4SE1/4SW1/4	Sec. 7, Twp 10S, Rge 28E, B.M.
GROUND WATER CASSIA County	L1 (SW1/4NW1/4NW1/4)	Sec. 19, Twp 10S, Rge 28E, B.M.
GROUND WATER CASSIA County	SE1/4SW1/4NE1/4	Sec. 7, Twp 10S, Rge 28E, B.M.
GROUND WATER CASSIA County	SE1/4NW1/4NE1/4	Sec. 18, Twp 10S, Rge 28E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
10S	27E	13													11.0	39.0	50.0		

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10S 27E 24		38.0	24.0			17.0											79.0				
10S 28E 7		12.5	23.4	40.0	37.7		4.1			22.7		28.2	46.0	29.0	33.0		26.3	40.0	26.0		368.9
													L 3	L 4							
10S 28E 18			24.0	9.0			35.0	38.0	11.0	39.0		23.0	44.0	36.0	3.0						262.0
								L 1	L 2				L 3	L 4							
10S 28E 19								18.0													18.0
								L 1													

Conditions of Approval:

1. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 9/29/2004.
2. X35 Rights 43-2335, 43-7122A, 43-7122B, 43-10421, 43-10422, 43-10423, 43-13349 and 43-13350 when combined shall not exceed a total annual maximum diversion volume of 3032.4 af at the field headgate, and the irrigation of 758.1 acres in a single irrigation season.
3. Rights 43-2335 and 43-7122A when combined shall not exceed the irrigation of 360.3 acres in a single irrigation season.
4. 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.
5. X27 This right is limited to the irrigation of 283 acres within the place of use described above in a single irrigation season.
6. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. Right Nos. 43-2335, 43-7122A and 43-13350 when combined shall not exceed the irrigation of 540.8 acres in a single irrigation season.
12. 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.
13. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
14. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
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Comments:

1. jstanton 8/24/2009 3:54:47 PM POU
Comment: Updated Shape
2. jstanton 8/24/2009 4:07:35 PM POD
Comment: Updated Shape
3. jstanton 8/24/2009 4:23:34 PM POD
Comment: Updated Shape
4. jstanton 8/24/2009 4:35:37 PM POD
Comment: Updated Shape
5. jstanton 8/24/2009 4:50:36 PM POD
Comment: Updated Shape
6. jstanton 8/24/2009 4:51:57 PM POD
Comment: Updated Shape
7. amerritt 10/16/2009 10:45:13 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 75605

Dates and Other Information:

Licensed Date:
 Decreed Date: 9/29/2004
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: And
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
10.4	2163.2	540.8

Combined Water Rights: 43-2335 , 43-7122A , 43-13350

Water Supply Bank: