

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-13496
WR Report BEFORE Matthews ownership change splits

WATER RIGHT NUMBER: 45-13496

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MANNING RANCHES INC 2233 BIRCH CREEK RD OAKLEY, ID 83346 (208)862-3884

Priority Date: 12/05/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIRCH CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	02/28	to 11/15	1.050 CFS	
	<u>Total Diversion:</u>		1.050 CFS	

Location of Point(s) of Diversion

BIRCH CREEK	SE1/4SE1/4SE1/4	Sec. 14, Twp 14S, Rge 22E, B.M.
CASSIA County		
BIRCH CREEK	SE1/4SW1/4NW1/4	Sec. 24, Twp 14S, Rge 22E, B.M.
CASSIA 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	
13S	22E	26							40.0	40.0	39.0	40.0	40.0	40.0					239.0
13S	22E	27													40.0			40.0	80.0
13S	22E	35			35.0	40.0	40.0	39.0											154.0
14S	22E	2							11.0	12.0	40.0	40.0	33.0	40.0					176.0
14S	22E	3	35.0			31.0													66.0
			L 1																
14S	22E	11								13.0				1.0	40.0	40.0	37.0	40.0	171.0
14S	22E	14	38.0	24.0	5.0	8.0									20.0	28.0		5.0	128.0

Total Acres: 1014

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-13496

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1014 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-12456, 45-13489, & 45-13496.
3. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
4. 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.
5. 177 The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
6. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-79D FOR 0.45 CFS, 45-79F FOR 0.135725 CFS, 45-79H FOR 0.146 CFS, 45-82D FOR 0.06 CFS, & 45-82F FOR 0.26 CFS.

Remarks:

Comments:

1. jroberts 1/30/2006 Version 2 Rec.
Comment: Claim was amended per SF4. SoU was amended to 2/25 but 2/28 was the agreed upon beginning date. Acres were increased from 1005 to 1021 but only 988 can be recommended per 1987 aerial photo. Added year-round stockwater use but not part of original decree so not recommended. (Must file a beneficial use claim for that.) Added Remark 177 about Birch Creek Rotation Agreement. (See recommendation comments in Version 1 for increased diversion rate.)
2. jroberts 9/12/2006 Revised V2 Rec.
Comment: PoU per GIS of claimed areas per 1987 aerial photography, resulting in a reduction from 1021 claimed acres to 1011 rec. acres.
3. jroberts 9/28/2006 PoU updated per SF5
Comment: Increased acres in NENE Sec. 3 to 35, updated shape in Arcview, and changed total acres in Combined Limit Remark to 1014.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-13496

WR report AFTER ownership change split

WATER RIGHT NUMBER: 45-13496

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLAKE MATTHEWS 84 EAST BASIN RD OAKLEY, ID 83346 (208)862-3446
Current Owner	BRITTNI MATTHEWS 84 EAST BASIN RD OAKLEY, ID 83346 (208)862-3446

Priority Date: 12/05/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIRCH CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	02/28 to 11/15	0.530 CFS	
	<u>Total Diversion:</u>	0.530 CFS	

Location of Point(s) of Diversion

BIRCH CREEK	SE1/4SE1/4SE1/4	Sec. 14, Twp 14S, Rge 22E, B.M.
CASSIA County		
BIRCH CREEK	SE1/4SW1/4NW1/4	Sec. 24, Twp 14S, Rge 22E, B.M.
CASSIA 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	22E	2								12.0	40.0			32.0					84.0

Total Acres: 84

Conditions of Approval:

1. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-13496

2. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
3. X35 Rights 45-13496 and 45-14398 when combined shall not exceed a total diversion rate of 1.05 cfs in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-79D FOR 0.45 CFS, 45-79F, 45-79H, 45-82D & 45-82F.
6. 177 The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.

Remarks:

Comments:

1. jroberts 1/30/2006 Version 2 Rec.

Comment: Claim was amended per SF4. SoU was amended to 2/25 but 2/28 was the agreed upon beginning date. Acres were increased from 1005 to 1021 but only 988 can be recommended per 1987 aerial photo. Added year-round stockwater use but not part of original decree so not recommended. (Must file a beneficial use claim for that.) Added Remark 177 about Birch Creek Rotation Agreement. (See recommendation comments in Version 1 for increased diversion rate.)

2. jroberts 9/12/2006 Revised V2 Rec.

Comment: PoU per GIS of claimed areas per 1987 aerial photography, resulting in a reduction from 1021 claimed acres to 1011 rec. acres.

3. jroberts 9/28/2006 PoU updated per SF5

Comment: Increased acres in NENE Sec. 3 to 35, updated shape in Arcview, and changed total acres in Combined Limit Remark to 1014.

4. tfawcett 12/14/2011 split right

Comment: This right was split into 45-13496 (Blake Matthews) and 45-14398 (Broden Matthews).

5. tfawcett 12/15/2011 12:55:12 PM POU

Comment: Updated Shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-14398

WATER RIGHT NUMBER: 45-14398

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRODEN K MATTHEWS 94 EAST BASIN RD OAKLEY, ID 83346 (208)862-3201
Current Owner	ANGELA MATTHEWS 94 EAST BASIN RD OAKLEY, ID 83346 (208)862-3201

Priority Date: 12/05/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIRCH CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	02/28 to 11/15	0.530 CFS	
	<u>Total Diversion:</u>	0.530 CFS	

Location of Point(s) of Diversion

BIRCH CREEK	SE1/4SE1/4SE1/4	Sec. 14, Twp 14S, Rge 22E, B.M.
CASSIA County		
BIRCH CREEK	SE1/4SW1/4NW1/4	Sec. 24, Twp 14S, Rge 22E, B.M.
CASSIA 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	22E	2							11.0				40.0	33.0	8.0				92.0

Total Acres: 92

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. P29 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-79D, 45-79F, 45-79H, 45-82D & 45-82F.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14398

3. 177 The operation and use of this water right is also subject to the terms and conditions of the Water Rotation Agreement ("Agreement") entered into by certain users on 10 September, 1992. The Agreement was filed and recorded in the office of the Cassia County Recorder on 27 May, 1993 as Instrument No.: 224804; the provisions of such Agreement to apply fully to this water right.
4. 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.
5. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
6. X35 Rights 45-13496 and 45-14398 when combined shall not exceed a total diversion rate of 1.05 cfs in a single irrigation season.

Remarks:

Comments:

1. jroberts 1/30/2006 Version 2 Rec.

Comment: Claim was amended per SF4. SoU was amended to 2/25 but 2/28 was the agreed upon beginning date. Acres were increased from 1005 to 1021 but only 988 can be recommended per 1987 aerial photo. Added year-round stockwater use but not part of original decree so not recommended. (Must file a beneficial use claim for that.) Added Remark 177 about Birch Creek Rotation Agreement. (See recommendation comments in Version 1 for increased diversion rate.)

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3. jroberts 9/28/2006 PoU updated per SF5

Comment: Increased acres in NENE Sec. 3 to 35, updated shape in Arcview, and changed total acres in Combined Limit Remark to 1014.

4. tfawcett 12/14/2011 split right

Comment: This right was split from 45-13496 pursuant to an ownership change.

5. tfawcett 12/15/2011 4:07:23 PM POU

Comment: Updated Shape

Water Supply Bank: