

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-90
WR Report **BEFORE** Matthews ownership change splits

WATER RIGHT NUMBER: 45-90

<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: 12/01/1882

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	1.000 CFS	
	<u>Total Diversion:</u>	1.000 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	34													40.0			40.0	80.0
14S	22E	2																	176.0
14S	22E	3	35.0	5.0		31.0									11.0				82.0
			L 1	L 2															
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: 637

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-90

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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Remarks:

Comments:

1. jroberts 1/21/2006 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 565 to 676 but only 590 can be recommended per 1987 aerial photo, limited to 80 acres within (from original decreed pou of water right). Add remark 177.
2. jroberts 9/11/2006 Revised V2 Rec.
Comment: PoU per GIS of 1987 aerial photography, resulting in reduction from 676 acres claimed to 634 rec. ac. (I believe the 18 ac claimed in the NWNE of Sec. 3 were meant to be claimed in the NESE of Sec. 3.)
3. jroberts 9/28/2006 PoU updated per SF5
Comment: Increased acres in NENE Sec. 3 to 35 and updated shape in Arcview.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-90

WR Report AFTER ownership change split

WATER RIGHT NUMBER: 45-90

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

Priority Date: 12/01/1882

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	0.500 CFS	
	<u>Total Diversion:</u>	0.500 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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-90

2. 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.
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. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
5. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Remarks:

Comments:

1. jroberts 1/21/2006 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 565 to 676 but only 590 can be recommended per 1987 aerial photo, limited to 80 acres within (from original decreed pou of water right). Add remark 177.

2. jroberts 9/11/2006 Revised V2 Rec.

Comment: PoU per GIS of 1987 aerial photography, resulting in reduction from 676 acres claimed to 634 rec. ac. (I believe the 18 ac claimed in the NWNE of Sec. 3 were meant to be claimed in the NESE of Sec. 3.)

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

Comment: Increased acres in NENE Sec. 3 to 35 and updated shape in Arcview.

4. tfawcett 12/14/2011 split right

Comment: This right was split into 45-90 (Blake Matthews) and 45-14397 (Broden Matthews).

5. tfawcett 12/15/2011 9:55:21 AM POU

Comment: Updated Shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14397

WATER RIGHT NUMBER: 45-14397

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

Priority Date: 12/01/1882

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	0.500 CFS	
	<u>Total Diversion:</u>	0.500 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
14S	22E	2	11.0	40.0	33.0	8.0	92.0

Total Acres: 92

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 41.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14397

2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.
4. 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.
5. E62 THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

Remarks:

Comments:

1. jroberts 1/21/2006 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 565 to 676 but only 590 can be recommended per 1987 aerial photo, limited to 80 acres within (from original decreed pou of water right). Add remark 177.

2. jroberts 9/11/2006 Revised V2 Rec.

Comment: PoU per GIS of 1987 aerial photography, resulting in reduction from 676 acres claimed to 634 rec. ac. (I believe the 18 ac claimed in the NWNE of Sec. 3 were meant to be claimed in the NESE of Sec. 3.)

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

Comment: Increased acres in NENE Sec. 3 to 35 and updated shape in Arcview.

4. tfawcett 12/14/2011 split right

Comment: This right was split from 45-90 pursuant to an ownership change.

5. tfawcett 12/15/2011 4:00:39 PM POU

Comment: Updated Shape

Water Supply Bank: