

Water Right Report 72-106J

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-106J

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00106J, 72-00109J, 72-10486C AND 72-04174C.
5. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 2 SWNENW.
72-00106J, 72-00109J, 72-10486C, 72-00106H, 72-00106K, 72-00109K, 72-10486D, AND 72-00106C.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION LOCATED IN TWP 13N, RNG 18E, SEC 3 SENESE.
72-00106J, 72-00109J, 72-10486C, 72-00106F, 72-00109F, 72-00106K, 72-00109K, 72-10486D, AND 72-10486A.

Remarks:

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Comments:

1. CHRISTEN 1/31/1994 COPIED FROM REMARKS

Comment: PORTION OF 72-00106 DECREE. ~ 51 ACRES OF ACTUAL IRRIGATION ALONG GARDEN CREEK.

***** OWNERSHIP CHANGE 5/24/91 BY AA.

2. KCHRISTE 8/23/1994 COPIED FROM REMARKS

Comment: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00109D, AND 72-10486. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.26 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 62.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 25 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00109C AND 72-10486. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 77.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00109C, 72-10486, AND 72-04174. BASIS OF SPLIT RIGHT THERE WAS AN OWNERSHIP CHANGE SPLITTING THE RIGHT INTO; 72-00106F JAMES TRUST FOR 9/25ths OF .88 CFS OR .32 CFS AND 72-00106G FIRSTFRUITS FOR 16/25ths OF .88 CFS OR .56 CFS. THE SPLIT WAS BASED UPON FOUND IRRIGATED ACRES AS DISCUSSED WITH CHRISTOPHER JAMES ON 08-15-94. KKC

3. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

4. KCHRISTE 2/24/2000 SPLIT MODIFIED PER BLM

Comment: FRED PRICE REQUESTED THE 0.3 ACRES IN SEC 2 SENW BE MOVED TO BLM

5. amerritt 6/3/2004 corrected typo in conditions

Comment: 72-109J, 72-106J and 72-10486C overlap on same 13.2 acres. Right 72-4174C overlaps partially on these 13.2 acres but also is primary on 2.6 acres. In total all these rights irrigate 15.8 acres. Corrected condition by changing 13.2 to 15.8.

6. kwalker 9/22/2004 Mitigation

Comment: This right has been changed to show the mitigation use that was added due to approval order found in permit file 72-16624. The right holder changed 1.5 acres to compensate for the mitigation use. Also corrected condition limiting number of acres to 14.3 (11.7 under 72-106J, 72-109J, 72-10486C and 2.6 under 72-4174C - per amerritt comment).

7. mciscell 9/29/2004 POU

Comment: Updated Shape

8. mciscell 9/29/2004 POU

Comment: Updated PLS

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Dates and Other Information:

Licensed Date:
Decreed Date: 5/31/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 72B
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
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>
		14.3

Combined Water Rights: 72-106J , 72-109J , 72-4174C , 72-10486C

Water Supply Bank: