

MEMORANDUM

TO: Water Rights File 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842

FROM: Daniel A. Nelson

DATE: September October 6, 2011

SUBJECT: Telford Lands LLC Water Supply Bank Lease Application

SUMMARY

Robert L. Harris of Holden, Kidwell, Hahn, and Crapo Law Offices filed eleven water bank leases on behalf of his client Telford Lands LLC to lease 276.7 acres of water rights Water Rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 for an indefinite term on November 2, 2009. On October 4, 2011, Mr. Harris submitted a water bank lease for water right 34-618, 34-13659, and 34-13661, which were accidentally excluded from the original package sent in. Please review the attached table that describes the acres and the portion being placed into the water supply bank with these leases. When all of these water rights are combined, 276.7 acres, 5.18 cfs, and 968.5 acre feet of water will be leased to the Water Supply Bank.

There were several issues and memos composed concerning the forfeiture of these water rights. Discussions with administration and resulted in a determination that forfeiture was not an issue for these water rights. Please refer to my September 9, 2011 letter for a further explanation of this issue.

Water right number 34-618 was not included in the original group of water bank leases, but due to water right conditions not being placed on water 34-618 during the water transfer process, staff determined that until an administrative review of the water rights transpires, 34-618 will need to be included in the Water Supply Bank Lease. Water right 34-618 was originally for only 139 acres, and has been included in two water right transfers (transfer numbers 71254 and 73320). Transfer number 71254 combined this water right with the other water rights, but it limited 34-618 to specifically described 139 acres of ground. Transfer 73320 allowed water right 34-618 to be used in the 2,124 acre permissible place of use, but this transfer neglected to add the condition that limited the water right to the 139 acres within the 2,124 acre permissible place of use. Therefore, in appearance, water right 34-618 could possibly be spread over the entire 2,124 acres. However, there is still a condition that limits the use of 34-618 to 486.5 acre feet of water when combined with that portion of water right 34-7179. An annual volume of 486.5 acre feet is the amount of water needed to supply the maximum volume of water allowed per acre of 3.5 acre feet to 139 acres. I have discussed this with administration, and it was determined that we have to use the 139 acre limitation when considering the amount of water and land being leased to the Water Supply Bank. The portion of the water right continuing to be irrigated cannot be changed or altered until an official administrative action has taken place on the water right. Once an administrative action has occurred, the 139 acre limiting condition will need to be included.

Water rights 34-13659 and 34-13661 were also added to this group of water bank leases. These leases were not required, but it does make the entire package easier to understand when all of the water rights in the combined conditions are included. Having all the water rights involved in the lease will also benefit the watermaster in monitoring and regulating this lease.

AUTHORITY TO FILE

The Warranty Deeds supplied during a recent Change of Ownership suggest that Telford Lands LLC is the owner of these water rights. The Idaho Secretary of State's Business Search webpage shows that Michael Telford has the authority to sign these applications.

SUFFICIENCY OF SUPPLY

There is no evidence to suggest that the sufficiency of water supply would be an issue with this Water Supply Bank lease. However, there has been issues in the local area that may be cause for concern if the water rights are rented from the Water Supply Bank. If there is a request to rent these water rights, I would require watermaster comment, and I also would strongly recommend that public comments be sought before a rental is approved.

INJURY

There is nothing to suggest that this Water Supply Bank lease will cause injury to other water users. However, there has been issues in the local area that may be cause for concern if the water rights are leased from the Water Supply Bank. If these water rights are leased, I would require watermaster comment, and I also would strongly recommend that the Water Supply Bank rental application be advertised prior to approval.

ENLARGEMENT

No enlargement is being proposed.

BENEFICIAL USE

The application proposes beneficial use consistent with conservation of water resources in Idaho.

LOCAL PUBLIC INTEREST

There is nothing in the file to suggest that this water bank lease is not within the local public interest. However, there has been issues in the local area that may be cause for concern if the water rights are leased from the Water Supply Bank. If there is a request to rent these water rights, I would require watermaster comment, and I also would strongly recommend that public comments be sought before a rental is approved.

WATER DISTRICT

Water District 34 watermaster has been contacted, and had no opposition to this Water Supply Bank Lease. However, in telephone conversations, he did voice a concern about being notified if the water was rented.

RECOMMENDATION

I recommend that these water rights be accepted into the water bank for a term of 11/2/2009 to 11/2/2014. I also recommend that this water right not be reduced or split if rented from the Water Supply Bank. Renting only a portion of the leased amount could create significant confusion for the watermaster to monitor and regulate. Please see the portions being leased to the bank and the portion remaining on the property in the attached spreadsheet. A special notation must be made concerning water rights 34-13659 and 34-13661. The water being retired for the Water Supply Bank from 34-13659 and 34-13661 must come from the 0.44 cfs and 0.45 cfs that is allowed to be delivered past the West Side Canal, to prevent interfering with past mitigation requirements. All of the conditions on the water rights should be carried forward to the Water Supply Bank lease with the following alterations to the combined water conditions:

Water Right 34-618 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 18.1 acres within the 276.7 acre permissible place of use.
- 2.) Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 63.4 acre feet at the field headgate.
- 3.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 4.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-618 – Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 120.9 acres within the 2,124 acre permissible place of use.
- 2.) Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 423.1 acre feet at the field headgate.
- 3.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1,847.3 acres.
- 4.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-2330B – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 16 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-2330B– Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 106.5 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate. .
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-7077 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 26.1 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7077– Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 173.9 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.43 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet.

Water Right 34-7080B – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 37.3 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7080B– Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 248.7 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet.

Water Right 34-7092 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 82.7 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7092 - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 552.3 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-7121A – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 37.3 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7121A - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 248.7 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-7121B – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 41.2 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7121B - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 274.8 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-7179 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 276.7 acres.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 63.4 acre feet at the field headgate.
- 6.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-7179 - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 1847.3 acres within the 2124 acres.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.
- 6.) Rights 34-618 and that portion of ground water right no. 34-7179 associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 0.02 cfs per acre, and shall not exceed a total annual maximum diversion volume of 423.1 acre feet at the field headgate.

Water Right 34-12376 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 11.4 acres within the 276.7 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-12376 - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 76.1 acres within the 2124 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet.

Water Right 34-13659 – Portion Being Leased to the Water Bank

- 1.) Water rights 34-13659 and 34-13661 when combined are limited to the irrigation of 5.6 acres within the 276.7 acre permissible place of use.
- 2.) The total volume of surface water diverted under water right numbers 34-13659 and 34-13661 shall be limited to 19.6 acre feet.

- 3.) Whenever water right number 34-13659 is deliverable, fifty five percent of the flow deliverable (up to 0.53 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.44 cfs) can be delivered past the head of the West Side Canal under water right number 34-13659. All of the 0.13 cfs delivered under this Water Supply Bank lease must be delivered out of the 0.44 cfs that can be delivered past the West Side Canal, and cannot interfere with the 0.53 cfs to be delivered to the West Side Canal.
- 4.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842(all describing a place of use of 276.7 acres) and water right no. 34-7179 (267.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 5.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 6.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 7.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-13659 - Portion Remaining for Irrigation.

- 1.) Water rights 34-13659 and 34-13661 when combined are limited to the irrigation of 37.4 within the 2124 acre permissible place of use.
- 2.) The total volume of surface water diverted under water right numbers 34-13659 and 34-13661 shall be limited to 130.9 acre feet.
- 3.) Whenever water right number 34-13659 is deliverable, fifty five percent of the flow deliverable (up to 0.53 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.44 cfs) can be delivered past the head of the West Side Canal under water right number 34-13659. All of the 0.13 cfs delivered under the associated Water Supply Bank lease must be delivered out of the 0.44 cfs that can be delivered past the West Side Canal, and cannot interfere with the 0.53 cfs to be delivered to the West Side Canal.
- 4.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842(all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 5.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 6.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.

- 7.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-13661 – Portion Being Leased to the Water Bank

- 1.) Water rights 34-13659 and 34-13661 when combined are limited to the irrigation of 5.6 acres within the 276.7 acre permissible place of use.
- 2.) The total volume of surface water diverted under water right numbers 34-13659 and 34-13661 shall be limited to 19.6 acre feet.
- 3.) Whenever water right number 34-13661 is deliverable, fifty five percent of the flow deliverable (up to 0.55 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.45 cfs) can be delivered past the head of the West Side Canal under water right number 34-13659. All of the 0.13 cfs delivered under this Water Supply Bank lease must be delivered out of the 0.45 cfs that can be delivered past the West Side Canal, and cannot interfere with the 0.55 cfs to be delivered to the West Side Canal.
- 4.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 5.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 6.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 7.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-13661 - Portion Remaining for Irrigation.

- 1.) Water rights 34-13659 and 34-13661 when combined are limited to the irrigation of 37.4 within the 2124 acre permissible place of use.
- 2.) The total volume of surface water diverted under water right numbers 34-13659 and 34-13661 shall be limited to 130.9 acre feet.
- 3.) Whenever water right number 34-13659 is deliverable, fifty five percent of the flow deliverable (up to 0.53 cfs) shall continue to be delivered into the West Side Canal, and forty-five percent of the flow deliverable (up to 0.44 cfs) can be delivered past the head of the West Side Canal under water right number 34-13659. All of the 0.13 cfs delivered under the associated Water Supply Bank lease must be delivered out of the 0.44 cfs that can be delivered past the West Side Canal, and cannot interfere with the 0.53 cfs to be delivered to the West Side Canal.

- 4.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 5.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 6.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 7.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-13840 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 9.2 acres within the 276.7 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-13840 - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 61.8 acres within the 2124 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842(all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.

Water Right 34-13842 – Portion Being Leased to the Water Bank

- 1.) This water right is limited to the irrigation of 18.2 acres within the 276.7 acre permissible place of use.
- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842(all describing a place of use of 258.6 acres) and water right no. 34-7179 (276.7 acres shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 276.7 acres.
- 5.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 5.18 cfs, 968.5 acre feet.

Water Right 34-13840 - Portion Remaining for Irrigation.

- 1.) This water right is limited to the irrigation of 121.8 acres within the 2124 acre permissible place of use.

- 2.) Should any portion of water rights nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 ever be curtailed as a result of a delivery call, the irrigated place of use for water right nos. 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 (all describing a place of use of 1726.4 acres) and water right no. 34-7179 (1847.3 acres) shall be reduced by the number of irrigated acres authorized to be irrigated by the individual water right that is curtailed.
- 3.) Water rights 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-12376, 34-13840, and 34-13842, and that portion of ground water right no. 34-07179 not associated with water right no. 34-618, when combined shall not exceed a total diversion rate of 4.82 cfs, and shall not exceed a total maximum diversion volume of 905.1 acre feet at the field headgate.
- 4.) Water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13840, and 34-13842 when combined should not exceed the irrigation of 1847.3 acres.
- 6.) When water rights 34-618, 34-2330B, 34-7077, 34-7080B, 34-7092, 34-7121A, 34-7121B, 34-7179, 34-12376, 34-13659, 34-13661, 34-13840, and 34-13842 are combined, they are limited to 34.63 cfs, 6465.5 acre feet acres.