

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-7339B

WATER RIGHT NUMBER: 45-7339B

| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
|-------------------|------------------------------------------------------------------------------|
| Original Owner    | MARY CROSBY ASSOC                                                            |
| Previous Owner    | , ZZ<br>MARVIN L BLACKER<br>459 S 400 W<br>BURLEY, ID 83318<br>(208)678-2852 |
| Previous Owner    | LOVEL L BLACKER<br>459 S 400 W<br>BURLEY, ID 83318<br>(208)678-2852          |
| Current Owner     | OAK VALLEY LAND CO LLC<br>468 S 800 W<br>BURLEY, ID 83318<br>(208)280-6453   |

Priority Date: 02/02/1978

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
|---------------|------------------|

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15          | 0.800 CFS             | 160.00 AF            |
|                       | <u>Total Diversion:</u> | 0.800 CFS             | 160.00 AF            |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| GROUND WATER  | NW1/4NW1/4SW1/4 | Sec. 16, Twp 11S, Rge 22E, B.M. |
| CASSIA County |                 |                                 |
| GROUND WATER  | SW1/4SW1/4NW1/4 | Sec. 15, Twp 11S, 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   |        |
| 11S | 22E | 15  |    |    | 40.0 | 22.7 |    |    | 40.0 | 40.0 |    |    | 35.0 | 40.0 |      |      |      |      | 217.7  |
| 11S | 22E | 16  |    |    |      |      |    |    |      |      |    |    |      |      | 40.0 | 37.0 | 37.0 | 40.0 | 154.0  |

Total Acres: 371.7

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Conditions of Approval:

1. 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.
2. 131 Prior to the diversion and use of water under Transfer approval 74796, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. 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.
4. X35 Rights 45-7141, 45-7339B, 45-7672, 45-14343, and 45-14142 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual maximum diversion volume of 1445.2 af at the field headgate, and the irrigation of 361.3 acres.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Rights 45-7141 and 45-7339B when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 752 af at the field headgate, and the irrigation of 188 acres.
7. 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.
8. X27 This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
11. Rights 45-7141, 45-7339B, 45-7672, and 45-14343 when combined shall not exceed a total diversion rate of 2.25 cfs, a total annual maximum diversion volume of 852 af at the field headgate, and the irrigation of 213 acres.

Remarks:Comments:

1. cskinner 5/23/2008 8:32:37 AM  
Comment: Updated Shape
2. cskinner 5/23/2008 8:33:53 AM  
Comment: Updated Shape
3. ameritt 10/27/2008 3:03:20 PM Transferred Right  
Comment: This is now an approved transfer, transfer number = 74796
4. nvandyke 5/27/2011 11:49:32 AM POU  
Comment: Updated Shape

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Dates and Other Information:

Licensed Date:  
Decreed Date: 5/13/2005  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector:  
Water District Number: 140  
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> |
|-------------|---------------|--------------|
|-------------|---------------|--------------|

2.25

Combined Water Rights: 45-7141 , 45-7339B , 45-7672 , 45-14343

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|-------------|---------------|--------------|

4.88

Combined Water Rights: 45-14142 , 45-7141 , 45-7339B , 45-7672 , 45-14343

Water Supply Bank: