

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-4100

WATER RIGHT NUMBER: 45-4100

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R HILTON CRITCHFIELD & SONS 1687 S HWY 27 OAKLEY, ID 83346 (208)862-3629
Original Owner	L & M FARMS C/O JOHN R MARTIN 1722 S 500 W OAKLEY, ID 83346-9745 (208)862-3616
Current Owner	H & S FARMS LTD PARTNERSHIP 1687 S HWY 27 OAKLEY, ID 83346 (208)862-3629

Priority Date: 03/15/1961

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	0.070 CFS	15.40 AF
	<u>Total Diversion:</u>	0.070 CFS	15.40 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4NW1/4	Sec. 27, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NW1/4	Sec. 22, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SE1/4NW1/4SW1/4	Sec. 15, Twp 13S, Rge 22E, B.M.
CASSIA County		
GROUND WATER	SE1/4SE1/4NW1/4	Sec. 27, Twp 13S, 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	22									12.0	12.0	4.0	39.0					67.0

Total Acres: 67

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Conditions of Approval:

1. X27 This right is limited to the irrigation of 3.8 acres within the place of use described above in a single irrigation season.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-2250B, 45-2496, 45-2647, 45-4100, 45-13571, 45-13760, 45-13762 and 45-13764 shall not exceed 0.46 cfs, nor a total combined annual volume of 143.4 af.
3. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. 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.
5. 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.
6. T07 The right holder shall accomplish the change authorized by transfer 71206 by February 18, 2006.
7. E56 Use of the rights listed below is limited to the irrigation of a combined total of 67.6 acres in a single irrigation season.
Combined right nos.: 45-2250B, 45-2496, 45-2647, 45-4100, & 45-13571.
8. S21 Use of this right is combined with water from the Oakley Canal Co.
9. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. 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.
11. K03 Right Nos. 45-13571 is an expansion of Right Nos. 45-2250B, 45-2496, 45-2647 and 45-4100 pursuant to Section 42-1416B, Idaho Code.
12. E61 Use of the rights listed below is limited to a total combined diversion rate of 0.46 cfs and to a total combined annual diversion volume of 142.2 af.
Combined right nos.: 45-2250B, 45-2496, 45-2647, 45-4100, & 45-13571.
13. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
14. 01Q After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Remarks:Comments:

1. tfawcett 4/25/2005 transfer 71206

Comment: recommendation updated to reflect approved transfer.

2. erushing 7/7/2011 Ownership change

Comment: Water right 45-4100 has been divided per ownership change. 45-14347 is Wybenga Dairy LLCs portion and the remaining reduced portion is still in the name of H & S Farms and numbered 45-4100.

3. erushing 7/7/2011 4:45:29 PM POU

Comment: Updated Shape

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Dates and Other Information:

Licensed Date:
Decreed Date: 6/29/2005
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 140
Generic Max Rate Per Acre:
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>
0.46	142.2	67.6

Combined Water Rights: 45-2496 , 45-2250B , 45-2647 , 45-4100 , 45-13571

Water Supply Bank: