

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14348

WATER RIGHT NUMBER: 45-14348

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	H & S FARMS LTD PARTNERSHIP 1687 S HWY 27 OAKLEY, ID 83346 (208)862-3629
Current Owner	WYBENGA DAIRY LLC PO BOX 459 BURLEY, ID 83318-0459 (208)862-7880

Priority Date: 06/30/1985

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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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	2.880 CFS	
	<u>Total Diversion:</u>	2.880 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SW1/4	Sec. 15, 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	SE1/4SE1/4NW1/4	Sec. 27, 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	15									33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	264.0
13S	22E	22	33.0	33.0	33.0	33.0	33.0	33.0	31.0	31.0	26.0	25.0			33.0	33.0			377.0
13S	22E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 905

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Conditions of Approval:

1. X27 This right is limited to the irrigation of 425.9 acres within the place of use described above in a single irrigation season.
2. S21 Use of this right is combined with water from the Oakley Canal Co.
3. T07 The right holder shall accomplish the change authorized by transfer 71206 by February 18, 2006.
4. 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.
5. E61 Use of the rights listed below is limited to a total combined diversion rate of 6.08 cfs and to a total combined annual diversion volume of 1889.8 af.
Combined right nos.: 45-14344, 45-14345, 45-14346, 45-14347, & 45-14348.
6. WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-14344, 45-14345, 45-14346, 45-14347, 45-14348, 45-14349, 45-14350 and 45-14351 shall not exceed 6.14 cfs, nor a total combined annual volume of 1905.8 af.
7. 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.
8. 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.
9. E56 Use of the rights listed below is limited to the irrigation of a combined total of 898.4 acres in a single irrigation season.
Combined right nos.: 45-14344, 45-14345, 45-14346, 45-14347, & 5-14348.
10. 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.
11. 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.
12. K03 Right No. 45-14348 is an expansion of Right Nos. 45-14344, 45-14345, 45-14346 and 45-14347 pursuant to Section 42-1416B, Idaho Code.
13. 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.
14. 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.

Comments:

1. tfawcett 4/26/2005 transfer 71206
Comment: recommendation updated to reflect approved transfer.

2. erushing 7/7/2011 Ownership change
Comment: Water right 45-13571 has been divided per ownership change. 45-14348 is Wybenga Dairy LLCs portion and the remaining reduced portion is still in the name of H & S Farms and numbered 45-13571.

3. erushing 7/7/2011 6:11:30 PM POU
Comment: Updated Shape

Dates and Other Information:

Decreed Date: 6/29/2005
Water District Number: 140
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.08	1889.8	898.4

Combined Water Rights: 45-14344, 45-14345, 45-14346, 45-14347, 45-14348