

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 65-23371

WATER RIGHT NUMBER: 65-23371

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARLENE B ELD 11085 THOMAS DR BOISE, ID 83709 (208)375-2423
Original Owner	LARRY A ELD 11085 THOMAS DR BOISE, ID 83709 (208)375-2423
Previous Owner	TIMBERLINE DEVELOPMENT LLC PO BOX 145 DONNELLY, ID 83615
Current Owner	KDB LLC 13 N SEABISCUIT AVE NAMPA, ID 83687 (208) 870-1306

Priority Date: 09/09/1936

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MUD CREEK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	0.390 CFS	
MITIGATION	01/01 to 12/31	0.080 CFS	10.00 AF
<u>Total Diversion:</u>		0.470 CFS	

Location of Point(s) of Diversion

MUD CREEK	NW1/4SE1/4	Sec. 32, Twp 17N, Rge 03E, B.M.
VALLEY 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	
16N	03E	17				21.0													21.0

Total Acres: 21

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23371

MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	03E	17				X													

Conditions of Approval:

1. 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.
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02359, 65-02398A, 65-02577, 65-08053.
3. USE OF THIS RIGHT WITH RIGHT NO. 65-23370, 65-23372 and 65-23373 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.12 CFS.

Remarks:Comments:

1. jhersley 12/22/2009 split right
Comment: This water right is the result of split from 65-2399 due to change in ownership.
2. jhersley 12/22/2009 Mitigation & Water Bank
Comment: A 0.08 cfs/4 acre irrigation portion of the right will not be diverted in order to mitigate permit 65-23098. This portion should not be available in the water bank or for other beneficial uses due to the mitigation action.
3. jhersley 12/22/2009 2:56:13 PM POD
Comment: Updated Shape
4. jhersley 12/22/2009 2:59:10 PM POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date:
 Decreed Date: 10/31/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 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:Water Supply Bank: