

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16569

WATER RIGHT NUMBER: 36-16569

| <u>Owner Type</u> | <u>Name and Address</u>                                                                     |
|-------------------|---------------------------------------------------------------------------------------------|
| Current Owner     | W-4 DAIRY<br>116 N RIVER ISLAND RD<br>RUPERT, ID 83350<br>(208)436-1700                     |
| Representative    | BROCKWAY ENGINEERING<br>2016 N WASHINGTON ST STE 4<br>TWIN FALLS, ID 83301<br>(208)736-8543 |
| Original Owner    | RAY L COMMONS<br>PO BOX 307<br>RUPERT, ID 83350<br>(208)436-7550                            |
| Original Owner    | STEVEN D YOUNG<br>PO BOX 307<br>RUPERT, ID 83350<br>(208)436-7550                           |
| Original Owner    | MARIA YOUNG<br>PO BOX 307<br>RUPERT, ID 83350<br>(208)436-7550                              |
| Original Owner    | ROY M YOUNG<br>PO BOX 307<br>RUPERT, ID 83350<br>(208)436-7550                              |
| Previous Owner    | MOUNTAIN VIEW LAND LP<br>719A E 700 N<br>RUPERT, ID 83350<br>(208) 531-5104                 |

Priority Date: 02/08/1977

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          | 2.890 CFS             | 505.10 AF            |
|                       | <u>Total Diversion:</u> | 2.890 CFS             | 505.10 AF            |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | SW1/4SW1/4NE1/4 | Sec. 25, Twp 07S, Rge 22E, B.M. |
| LINCOLN County |                 |                                 |

Place of Use

IRRIGATION

|             |    |  |    |  |    |  |    |  |
|-------------|----|--|----|--|----|--|----|--|
| Twp Rge Sec | NE |  | NW |  | SW |  | SE |  |
|-------------|----|--|----|--|----|--|----|--|

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|         |    |  | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | Totals |
|---------|----|--|----|----|----|----|----|----|----|----|------|------|------|------|------|------|------|------|--------|
| 07S 22E | 25 |  |    |    |    |    |    |    |    |    | 33.0 | 40.0 | 40.0 | 35.0 |      |      |      |      | 148.0  |
| 07S 22E | 26 |  |    |    |    |    |    |    |    |    |      |      |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 160.0  |

Total Acres: 308

Conditions of Approval:

1. 214 Prior to the diversion and use of water under Transfer approval 74545, the right holder shall install and maintain an acceptable measuring device at the authorized point of diversion 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.
2. Rights 36-16563, 36-16569, 36-16572, 36-16575, 36-16578, and 36-16587 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 247 acres.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Rights 36-16563, 36-16569, 36-16572, 36-16575, and 36-16578 when combined shall not exceed a total diversion rate of 3.58 cfs, a total annual maximum diversion volume of 975.7 af at the field headgate, and the irrigation of 243.9 acres.
5. 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.
6. 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.
7. 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. 130.
8. X35 Rights 36-16563 and 36-16569 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 786.9 af at the field headgate, and the irrigation of 196.7 acres.
9. 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.
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. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.

Remarks:

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Comments:

1. jroberts 3/31/2009 4:32:51 PM POU  
Comment: Updated Shape
2. jroberts 3/31/2009 4:33:58 PM POU  
Comment: Updated Shape
3. jroberts 4/1/2009 7:58:53 AM POD  
Comment: Updated Shape
4. jroberts 4/1/2009 7:59:17 AM POD  
Comment: Updated Shape
5. amerritt 5/11/2009 2:45:07 PM Transferred Right  
Comment: This is now an approved transfer, transfer number = 74545

Dates and Other Information:

Licensed Date:  
 Decreed Date: 8/27/2001  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 State or Federal: S  
 Owner Name Connector: And  
 Water District Number: 130  
 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> |
|-------------|---------------|--------------|
| 2.89        | 786.9         | 196.7        |

Combined Water Rights: 36-16563 , 36-16569

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 3.58        | 975.7         | 243.9        |

Combined Water Rights: 36-16563 , 36-16569 , 36-16572 , 36-16575 , 36-16578

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
| 3.58        | 975.7         | 247          |

Combined Water Rights: 36-16563 , 36-16569 , 36-16572 , 36-16575 , 36-16578 , 36-16587

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Water Supply Bank: