

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 47-17255 V2

WATER RIGHT NUMBER: 47-17255 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID B CHADWICK
Original Owner	JENNY CHADWICK RT 1 TWIN FALLS, ID 83301 (208)655-4266
Current Owner	LOWELL B CURTIS 1930 E 2200 N TWIN FALLS, ID 83301 (208) 358-1739
Current Owner	JULINA L CURTIS 1930 E 2200 N TWIN FALLS, ID 83301 (208)655-4461
Original Owner	LOUGHMILLER INC 289 CENTENNIAL DRIVE HEYBURN, ID 83336 (208) 733-5761

Priority Date: 01/26/1970

Basis: License

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	03/01 to 11/01	0.850 CFS	412.70 AF
	<u>Total Diversion:</u>	0.850 CFS	412.70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NW1/4	Sec. 12, Twp 13S, Rge 15E, B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 12, Twp 13S, Rge 15E, B.M.
TWIN FALLS 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	
12S	15E	25					32.0	32.0			32.0	32.0							128.0
12S	15E	35													31.0	33.0	32.0	32.0	128.0
13S	15E	1					31.0	31.0	32.0	34.0									128.0
							L 3	L 4											
13S	15E	2	32.0	32.0	32.0	32.0													128.0
			L 1	L 2															

Total Acres: 512

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Conditions of Approval:

1. X35 Rights 47-17254, 47-17255, 47-17256 and 47-17257 when combined shall not exceed a total diversion rate of 3.00 cfs, a total annual maximum diversion volume of 1461.0 af at the field headgate.
2. X61 The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
3. E55 Right Nos. 47-17254, 47-17255, 47-17256 and 47-17257 are limited to the irrigation of a combined total of 405 acres in a single irrigation season.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. 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.
7. 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.
8. 104 If the surface water right(s) 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.
9. X27 This right is limited to the irrigation of 122.5 acres within the place of use described above in a single irrigation season.
10. This right is a split from former right 47-7088 .
11. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
12. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

Comments:

1. tfawcett 4/7/2009 transfer 75406
 Comment: Recommendation updated to reflect approved transfer 75406.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: Or
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: