

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 57-1205

WATER RIGHT NUMBER: 57-1205

| <u>Owner Type</u> | <u>Name and Address</u>                                                            |
|-------------------|------------------------------------------------------------------------------------|
| Original Owner    | BURGHARDT CO INC<br>C/O LULU BURGHARDT<br>GRAND VIEW, ID 83624                     |
| Current Owner     | OWYHEE CALCIUM PRODUCTS INC<br>PO BOX 159<br>GRAND VIEW, ID 83624<br>(208)834-2760 |

Priority Date: 04/01/1948

Basis: Decreed

Status: PARENT

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SHOOFLY CREEK | SNAKE RIVER      |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER STORAGE      | 01/01 to 12/31          |                       | 4.70 AF              |
| IRRIGATION FROM STORAGE | 03/15 to 11/15          |                       | 49.30 AF             |
| IRRIGATION STORAGE      | 01/01 to 12/31          |                       | 49.30 AF             |
| DIVERSION TO STORAGE    | 01/01 to 12/31          | 7.000 CFS             |                      |
| STOCKWATER FROM STORAGE | 01/01 to 12/31          |                       | 4.70 AF              |
|                         | <u>Total Diversion:</u> | 7.000 CFS             | 49.30 AF             |

Location of Point(s) of Diversion

|               |            |                                    |
|---------------|------------|------------------------------------|
| SHOOFLY CREEK | SW1/4NW1/4 | Sec. 8,   Twp 07S,   Rge 03E, B.M. |
| OWYHEE County |            |                                    |

Place of Use

STOCKWATER STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 03E | 8   | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

IRRIGATION FROM STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW   |    |    |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|----|----|------|------|------|------|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE   | NE   | NW   | SW   | SE   |        |
| 06S | 03E | 34  |    |    |    |    |    |    |    |    | 17.0 |    |    | 16.0 | 19.0 | 36.0 | 40.0 | 16.0 | 144.0  |

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|           |     |     |     |      |  |  |  |      |
|-----------|-----|-----|-----|------|--|--|--|------|
| 07S 03E 3 |     |     | 5.0 | 20.0 |  |  |  | 25.0 |
|           |     |     | L 3 | L 4  |  |  |  |      |
| 07S 03E 4 | 9.0 | 1.0 |     |      |  |  |  | 10.0 |
|           | L 1 |     |     |      |  |  |  |      |

Total Acres: 179

## IRRIGATION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S 03E 4   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |

## DIVERSION TO STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S 03E 8   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

## STOCKWATER FROM STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S 03E 8   | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. The irrigation storage pond is located within the S1/2 SW, Sec. 4, and the stockwater storage pond is located within the NENE, Sec. 8, Twp. 7S, R03E.
4. STOCKWATER, 350 RANGE CATTLE
5. USE OF THIS RIGHT WITH RIGHT NOS. 57-01202, 57-02285A, AND 57-01207 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95 ACRES AND A TOTAL ANNUAL DIVERSION VOLUME OF 427.5 AF AT THE FIELD HEADGATE FOR IRRIGATION USE.

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6. The total instantaneous diversion of water from the surface water point of diversion shall not exceed 8.43 cfs, nor a total combined annual volume of 355.5 af; and the total instantaneous diversion under Transfer 5665 shall not exceed 10.41 cfs, nor a total combined annual volume of 864.2 af for the irrigation of 179 acres, stockwater and storage uses as described under each right.
7. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
8. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 67 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Remarks:Comments:

1. Iharris 8/23/2001 Amendment  
Comment: Amended per Transfer 5665 approved 8/15/00.
2. Ownership Change 12/22/2008 9:37:33 AM Split Right  
Comment: Split into 57-11755 and 57-11756.

Dates and Other Information:

Licensed Date:  
 Decreed Date: 12/5/2001  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 State or Federal: S  
 Owner Name Connector:  
 Water District Number:  
 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> |
|-------------|---------------|--------------|
|             | 427.5         | 95           |

Combined Water Rights: 57-2285A , 57-1205 , 57-1207 , 57-1202

Water Supply Bank: