

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13610

WATER RIGHT NUMBER: 43-13610

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALLACE SEARS JR PO BOX 7 MALTA, ID 83342 (208)638-5542
Current Owner	RAMONA SEARS 1584 E 1740 S MALTA, ID 83342-8649 (208)638-5511

Priority Date: 04/30/1872

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CASSIA CREEK	RAFT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

CASSIA CREEK	NW1/4NW1/4SE1/4	Sec. 23, Twp 13S, Rge 25E, B.M.
CASSIA County		
CASSIA CREEK	NE1/4NE1/4SE1/4	Sec. 23, Twp 13S, Rge 25E, B.M.
CASSIA County		
CASSIA CREEK	NE1/4NW1/4SW1/4	Sec. 23, Twp 13S, Rge 25E, 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	25E	24																	30.0

Total Acres: 30

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-13610

1. 004 This right does not grant any right-of-way or easement across the land of another.
2. F06 The following rights are diverted through point(s) of diversion described above: 43-10610, 43-13612, 43-13614 and 43-13616.
3. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
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. 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. 43C.
6. 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.
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. The point of diversion previously authorized under this right if abandoned shall have the diversion works physically removed from the creek and rehabilitate the site in a manner that complies with Stream Channel Alteration requirements of Section 42-3803, Idaho Code.
9. X35 Rights 43-13610, 43-13612, 43-13614, 43-13616 and 43-13618 when combined shall not exceed the irrigation of 30.0 acres.
10. U42 Place of use does not include federal public lands
11. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
12. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. WB4 The total instantaneous diversion of water from all points of diversion under Rights 43-13610, 43-13612, 43-13614, and 43-13616 shall not exceed 0.70 cfs.

Remarks:

Comments:

1. tfawcett 1/8/2009 split right
Comment: This right was split from 43-70a pursuant to an owner change.
2. tfawcett 1/8/2009 12:13:46 PM POD
Comment: Updated Shape
3. tfawcett 1/8/2009 12:14:32 PM POD
Comment: Updated Shape
4. tfawcett 1/8/2009 12:15:18 PM POD
Comment: Updated Shape