

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-13823

WATER RIGHT NUMBER: 29-13823

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GORDON RAY YOST 1681 LUND RD BANCROFT, ID 83217 (208)648-7886
Current Owner	CHAD B NEIBAUR 1550 CENTRAL RD BANCROFT, ID 83217 (208)425-3632
Current Owner	JACQUELYN NEIBAUR 1550 CENTRAL RD BANCROFT, ID 83241 (208)425-3632

Priority Date: 03/20/1972

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	04/15 to 10/15	1.480 CFS	604.90 AF
	<u>Total Diversion:</u>	1.480 CFS	604.90 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NE1/4	Sec. 10, Twp 09S, Rge 39E, B.M.
CARIBOU 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	
09S	39E	10	36.0	37.0	35.0	35.0									35.0	35.0	31.0	32.0	276.0
09S	39E	15	32.0	32.0															64.0

Total Acres: 340

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No.13T, Bancroft-Lund
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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3. S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 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.
4. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. E61 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.04 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1060.8 AF. COMBINED RIGHT NOS.: 29-13815, 29-13817, 29-13819, 29-13821, & 29-13823.
7. E52 RIGHTS 29-13817 AND 29-13823 WHEN COMBINED SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF 1.48 CFS.
8. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 340 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13815, 29-13817, 29-13819, 29-13821, & 29-13823.
9. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 201.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. erushing 1/9/2008 Ownership Change
 Comment: WR 29-7080 split into 29-138122 (Yost) and 29-13823 (Neibaur).

2. erushing 1/9/2008 POD
 Comment: Updated shape

3. erushing 1/9/2008 POU
 Comment: Updated Shape

4. erushing 1/22/2008 Ownership Change
 Comment: Additional documentation submitted from Yost regarding the amount of CFS conveyed for water rights 29-7352D, 29-7419B, 29-7131, 29-7080 and 29-7358 (see Exhibit A of Warranty Deed). Diversion rate corrected. See split analysis for further explanation. POD relinquishments received from both parties.

Dates and Other Information:

Licensed Date:
 Decreed Date: 3/22/2004
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: And
 Civil Case Number: 39576
 Judicial District: FIFTH

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.04	1060.8	340

Combined Water Rights: 29-13815 , 29-13817 , 29-13819 , 29-13821 , 29-13823

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.48		

Combined Water Rights: 29-13817 , 29-13823