

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2273

WATER RIGHT NUMBER: 34-2273

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HARRY G MILLER
Original Owner	MACKAY, ID 83251 US DEPT OF AGRICULTURE FARMERS HOME ADMINISTRATION 9173 W BARNES STE B BOISE, ID 83709-1555 (208)378-5650
Current Owner	RONALD E BABNEAU 4316 HOUSTON RD MACKAY, ID 83251 (208)588-2582
Directors Report Owner	LORI P FARMER 4316 HOUSTON RD MACKAY, ID 83251 (208)588-2582
Current Owner	LORI P BABNEAU 4316 HOUSTON RD MACKAY, ID 83251 (208)588-2582

Priority Date: 05/14/1946

Basis: Decreed

Status: PARENT

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01	to 10/15	3.200 CFS	
	<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4	Sec. 33, Twp 07N, Rge 25E, B.M.
CUSTER County		
WASTE WATER	L4 (NW1/4NW1/4)	Sec. 4, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	4	38.0	39.0															77.0
			L 1	L 2															
07N	25E	33													39.0	36.0			75.0

Total Acres: 152

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Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. 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.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 152 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00289 AND 34-02492.
4. THE SOURCE OF THIS RIGHT IS WASTE WATER ORIGINALLY DIVERTED BY SWAUGER SLOUGH ALSO KNOWN AS CONGDON SPRINGS CREEK.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.00 CFS.
COMBINED RIGHT NOS.: 34-00289 AND 34-02492.

Comments:

1. DCARLSON 8/5/1996 REFORMAT
Comment: REFORM
2. ECARLSEN 5/28/1997 COPIED FROM REMARKS
Comment: NAME CHANGED FROM FARMER TO BABNEAU DUE TO MARRIAGE
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
4. narave 12/27/2007 POU Updated
Comment: Shape updated to reflect legal description of place of use
5. narave 12/27/2007 POU
Comment: Updated Shape
6. Ownership Change 1/2/2008 12:16:46 PM Split Right
Comment: Split into 34-13936 and 34-13937.

Dates and Other Information:

Licensed Date:
 Decreed Date: 6/4/2002
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 34
 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>
4		152

Combined Water Rights: 34-2273 , 34-2492 , 34-289