

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23185

WATER RIGHT NUMBER: 65-23185

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Original Owner    | ANN MARTINEZ<br>1629 HISLOP DR<br>OGDEN, UT 84404<br>(801)394-6264    |
| Original Owner    | TILDA N BARKER<br>PO BOX 304<br>DONNELLY, ID 83615                    |
| Original Owner    | RITA MILLER<br>RT 1 BOX 97<br>MC CALL, ID 83638<br>(208)634-2932      |
| Original Owner    | RALPH MILLER<br>DONNELLY, ID 83615<br>(208)325-8331                   |
| Current Owner     | LORRAINE BARKER<br>1629 HISLOP DR<br>OGDEN, UT 84404<br>(801)394-6264 |
| Current Owner     | BOYD BARKER<br>1629 HISLOP DR<br>OGDEN, UT 84404<br>(801)394-6264     |

Priority Date: 12/01/1947

Basis: Decreed

Status: Active

Source

LAKE FORK

Tributary

NORTH FORK PAYETTE RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 10/15

Diversion Rate

0.880 CFS

Annual VolumeTotal Diversion: 0.880 CFSLocation of Point(s) of Diversion

LAKE FORK

NW1/4NW1/4NE1/4

Sec. 10, Twp 17N, Rge 03E, B.M.

VALLEY 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 |        |      |
| 16N | 03E | 10  |    |    |    |    |    |    |    |    |    |    |    |    |    | 24.0 | 20.0 |    |        | 44.0 |

Total Acres: 44

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Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-23183 & 65-23177 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
2. USE OF THIS RIGHT WITH RIGHT NO. 65-23183 & 65-23177 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 44 ACRES IN A SINGLE IRRIGATION SEASON.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.  
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. 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.
5. WATER IS DELIVERED THROUGH MAHALA DITCH IN SECTION 10.

Comments:

1. erushing 11/6/2007 Split

Comment: Ownership change request submitted by Gendreau Realty for WR 65-2415. Split into 65-23185 (Barker) and 65-23186 (Gendreau).

2. erushing 11/6/2007 POD

Comment: Updated shape

3. erushing 11/6/2007 POU

Comment: Updated Shape

Dates and Other Information:

Licensed Date:

Decreed Date: 3/25/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: And

Water District Number: 65K

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> |
|-------------------------------------------------------|---------------|--------------|
|                                                       |               | 44           |
| Combined Water Rights: 65-23177 , 65-23183 , 65-23185 |               |              |

| <u>Rate</u>                                | <u>Volume</u> | <u>Acres</u> |
|--------------------------------------------|---------------|--------------|
| 0.88                                       |               |              |
| Combined Water Rights: 65-23181 , 65-23185 |               |              |