

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-23176

WATER RIGHT NUMBER: 65-23176

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BOYD BARKER 1629 HISLOP DR OGDEN, UT 84404 (801)394-6264
Original Owner	LORRAINE BARKER 1629 HISLOP DR OGDEN, UT 84404 (801)394-6264
Current Owner	GENDREAU REALTY HOLDINGS LLC 1515 BUSCH PARKWAY BUFFALO GROVE, IL 60089

Priority Date: 07/01/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOULDER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4NE1/4	Sec. 10, Twp 16N, Rge 03E, B.M.
VALLEY County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	03E	10														X			

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-23176 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.17 CFS.

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3. 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.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT COMBINED WITH WATER RIGHT 65-23175 SHALL NOT EXCEED 13,000 GALLONS PER DAY.
5. STOCKWATER, 160 RANGE CATTLE FOR WATER RIGHTS 65-23175 AND 65-23176.
6. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
7. 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.

Remarks:Comments:

1. erushing 11/5/2007 Split
Comment: Ownership change request submitted by Gendreau Realty for WR 65-22558. Split into 65-23175 (Barker) and 65-23176 (Gendreau).

2. erushing 11/5/2007 POD
Comment: Updated shape

3. erushing 11/5/2007 POU
Comment: Updated Shape

Dates and Other Information:

Licensed Date:
Decreed Date: 2/6/2003
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
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>
0.17		
Combined Water Rights: 65-23176 , 65-23178		