

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 22-13506

WATER RIGHT NUMBER: 22-13506

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	US DEPT OF INTERIOR BUREAU OF RECLAMATION 1150 N CURTIS RD STE 100 BOISE, ID 83706-1234 (208) 378-5306
Current Owner	FREMONT-MADISON IRRIGATION DISTRICT PO BOX 15 ST ANTHONY, ID 83445 (208) 624-3381

Priority Date: 04/23/1969

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	01/01 to 12/31	530.000 CFS	
	<u>Total Diversion:</u>	530.000 CFS	

Location of Point(s) of DiversionPlace of UseConditions of Approval:

1. Use of water from these wells for supplemental irrigation of lands, when combined with all other direct flow or storage waters applied or available to such lands, shall not exceed the statutory limitations for water use in Idaho of 1 cubic foot per second for each 50 acres of land irrigated or more than 5 acre-feet of water per acre per season as prescribed by Sections 42-202 and 42-220, Idaho Code, unless the applicant can satisfactorily and conclusively demonstrate, as part of the Proof of Completion of Works and Beneficial Use of the water, that more is required.
2. Approval of exchanges of water from individual wells for water belonging to others under their private water rights is hereby reserved to the Department. No such exchange can be approved until the applicant submits agreements in conformance with the provisions of Section 42-105, Idaho Code, and no such exchange shall take place until the applicant has received written approval from this office.
3. This right authorizes the development of up to 40 points of diversion within T6N, R39E; NW¼ of T6N, R40E; T7N, R39E; and the W½ of T7N, R40E; B.M.
4. Rights 22-13505 and 22-13506 when combined shall not exceed the irrigation of 152,562 acres, comprised of 111,210 acres to which these rights shall be supplemental to other water rights for irrigation purposes and 41,352 acres for which these rights may be the sole supply of irrigation water.
5. X35 Rights 22-13505 and 22-13506 when combined shall not exceed a total annual maximum diversion volume of 220,000 af.
6. 127 Place of use is within the boundary of Fremont-Madison Irrigation District pursuant to Section 43-323, Idaho Code.

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Comments:

1. Shelley Keen 4/13/2006 Splitting of Permit 22-7022

Comment: At the request of the permit holder, Fremont-Madison Irrigation District, Permit 22-7022 has been split into two parts, 22-13505 and 22-13506. Permit 22-7022 authorized the diversion of 220,000 AF of water at a maximum rate of 670 cfs from up to 42 wells. The permit holder requested that one part (22-13505) authorize the diversion of 140 cfs from 5 points of diversion and that the other part (22-13506) be for the remainder of the amounts authorized by Permit 22-7022.

The permit holder did not indicate how much of the 220,000 AF to assign to the 140 cfs portion. Over the course of a standard irrigation season of 4/1 to 10/31, 140 cfs will yield 59,320 AF. Therefore, Permit 22-13505 will be limited to an annual total of 59,320 AF. Over an irrigation season, 530 cfs could yield more than 220,000 AF. Rather than limit Permit 22-13506 to the difference between 220,000 AF and 59,320 AF, both of the parts will carry a condition limiting them to a combined total of 220,000 AF.

The permit holder provided legal descriptions for the 5 points of diversion to be included on Permit 22-13505. One of those legal descriptions is in T6N, R38E, which is not within the area that permit 22-7022 authorized water to be diverted. The permit holder will have to apply to amend Permit 22-13505 to add a point of diversion in T6N, R38E. The permit holder described one of the points of diversion as being in the SENWSW of Sec. 34, T7N, R39E. However, the permit holder submitted a quitclaim deed describing that point of diversion as being within the SWSW of Sec. 34, T7N, R39E. The Madison County tax lot data available to IDWR shows the parcel where the point of diversion was developed as being within the SWSW of Sec. 34, T7N, R39E, so that is what will be represented on Permit 22-13505.