

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14072

WATER RIGHT NUMBER: 45-14072

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Original Owner    | ERNST H KEARL JR<br>STAR RT BOX 6<br>DECLO, ID 83323<br>(208)654-9581     |
| Previous Owner    | MARK T NEWCOMB<br>251 E 200 S<br>RUPERT, ID 83350<br>(208)436-5679        |
| Current Owner     | ANDERLAND LLC<br>488 RIVERSIDE DRIVE<br>BURLEY, ID 83318<br>(208)221-7969 |

Priority Date: 05/09/1952

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            | 04/01 to 10/31          | 0.110 CFS             | 30.00 AF             |
|                       | <u>Total Diversion:</u> | 0.110 CFS             | 30.00 AF             |

Location of Point(s) of Diversion

|               |            |                                |
|---------------|------------|--------------------------------|
| GROUND WATER  | NE1/4SE1/4 | Sec. 9, Twp 10S, Rge 25E, B.M. |
| CASSIA 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 |        |
| 10S | 25E | 16  |    |    |    | 8.4 |    |    |    |    |    |    |    |    |    |    |    |    | 8.4    |

Total Acres: 8.4

Conditions of Approval:

1. Use of the rights listed below is limited to the irrigation of a combined total of 8.4 acres in a single irrigation season. Combined rights nos. 45-14070 and 45-14072.
2. X35 Rights 45-14070 and 45-14072 when combined shall not exceed a total diversion rate of .11 cfs, a total annual maximum diversion volume of 33.6 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14072

3. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. K06 Right No. 45-14072 is limited to the irrigation of 7.5 acres in the place of use described above in a single irrigation season.
6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
8. 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.
9. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. P21 This right is a split from former right 45-13395.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Remarks:

Comments:

1. tfawcett 7/3/2007 POU  
Comment: Updated Shape

2. tfawcett 7/3/2007 POU  
Comment: Updated PLS

3. tfawcett 7/3/2007 POD  
Comment: Updated shape

4. tfawcett 7/9/2007 split right  
Comment: split from 45-13395 pursuant to an owner change

Water Supply Bank: