

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-14071

WATER RIGHT NUMBER: 45-14071

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK T NEWCOMB 251 E 200 S RUPERT, ID 83350 (208)436-5679
Original Owner	ERNST H KEARL JR STAR RT BOX 6 DECLO, ID 83323 (208)654-9581

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	3.490 CFS	966.80 AF
	<u>Total Diversion:</u>	3.490 CFS	966.80 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	40.0	40.0	31.6	40.0	40.0	39.0	39.0										269.6

Total Acres: 269.6

Conditions of Approval:

1. P21 This right is a split from former right 45-13395.
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 the rights listed below is limited to the irrigation of a combined total of 269.6 acres in a single irrigation season. Combined right nos. 45-14069 and 45-14071.
4. 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.

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5. 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.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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.
9. K06 Right No. 45-14071 is limited to the irrigation of 241.7 acres in the place of use described above in a single irrigation season.
10. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
11. X35 Rights 45-14069 and 45-14071 when combined shall not exceed a total diversion rate of 3.49 cfs, a total annual maximum diversion volume of 1078.4 af at the field headgate.
12. 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.

Remarks:

Comments:

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

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

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

Water Supply Bank: