

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-13910

WATER RIGHT NUMBER: 45-13910

DRAFT

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WADE BAKER 700 S OAKLEY HWY BURLEY, ID 83318
Original Owner	AFTON E BAKER RT 2 BOX 2400 BURLEY, ID 83318 (208)678-7040
Current Owner	DARRELL M FUNK 3173 N 4900 E MURTAUGH, ID 83344 (208)432-5386
Current Owner	PATRICIA M FUNK 3173 N 4900 E MURTAUGH, ID 83344 (208)432-5386

Priority Date: 08/19/1976

Basis: Decreed

Status: Pending Transfer DRAFT

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	5.070 CFS	1,108.00 AF
	<u>Total Diversion:</u>	5.070 CFS	1,108.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 5,	Twp 12S,	Rge 21E, 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	
11S	21E	31	32.0	33.0	33.0	32.0									40.0	33.0	37.0	37.0	277.0

Total Acres: 277

Conditions of Approval:

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1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. 113 Right 45-13910 is used for mitigation purposes for right 45-13911 under Transfer approval No. 71968. The irrigation use is limited to the following schedule of allowed diversion rate, diversion volume and number of irrigated acres. The right holder shall file a notice of intent with the Department prior to increasing the diversion rate, diversion volume and number of acres irrigated at the time an increase according to the schedule is sought.
 - Years 2007 through 2020 the right is limited to 4.69 cfs, 1024 afa, and irrigation of 256 acres. (21 acres left unirrigated).
 - Years 2021 and beyond the right is limited to 5.07 cfs, 1108 afa, and irrigation of 277 acres. (No acres required to be unirrigated).
3. 114 The model used to calculate depletion effects and mitigation for Devils Washbowl to Buhl reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval No. 71968. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

Remarks:Comments:

1. cskinner 7/18/2005 POD
Comment: Updated shape
2. cskinner 7/18/2005 POU
Comment: Updated Shape
3. cskinner 7/18/2005 POU
Comment: Updated PLS

Dates and Other Information:

Licensed Date:
 Decreed Date: 5/13/2005
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: And/Or
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4
 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:

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Water Supply Bank: