

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-13583

WATER RIGHT NUMBER: 22-13583

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES E HATCH PO BOX 2 DRIGGS, ID 83422 (208)354-8248
Original Owner	STANFORD HUFF PO BOX 483 DRIGGS, ID 83422 (208)354-2333
Previous Owner	JARED E NUSBAUM 9051 WEST 65TH AVE ARVADA, CO 80004 (303)431-8409
Previous Owner	LINDA S NUSBAUM 9051 WEST 65TH AVE ARVADA, CO 80004 (303)431-8409
Current Owner	KERR FAMILY TRUST PO BOX 731 DRIGGS, ID 83422 (208) 354-8683
Trustee	DARIN DUANE KERR PO BOX 731 DRIGGS, ID 83422 (208) 354-8683
Trustee	MYRA CANNON KERR PO BOX 731 DRIGGS, ID 83422 (208) 354-8683

Priority Date: 01/08/1991

Basis: License

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	04/15 to 10/15	0.710 CFS	
	<u>Total Diversion:</u>	0.710 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 5,	Twp 05N,	Rge 45E, B.M.
TETON County				

Place of Use

IRRIGATION

Twp Rge Sec	NE		NW		SW		SE	
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		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 45E	5		18.0	.3		19.0												37.3
			L 2			L 3												

Total Acres: 37.3

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 130.5 af for the lands above.

Remarks:Comments:

1. JPEPPERS 9/13/2006 owner change
 Comment: right 22-13579 split by owner changes into 22-13582 (Bitner), 22-13583 (Kerr) and 22-13584 (remainder).

2. JPEPPERS 9/13/2006 POD
 Comment: Updated shape

3. JPEPPERS 9/13/2006 POU
 Comment: Updated Shape

Dates and Other Information:

Licensed Date: 6/30/1995
 Decreed Date:
 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:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: