

## Water Right Report 22-13582

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Original Owner    | JAMES E HATCH<br>PO BOX 2<br>DRIGGS, ID 83422<br>(208)354-8248             |
| Original Owner    | STANFORD HUFF<br>PO BOX 483<br>DRIGGS, ID 83422<br>(208)354-2333           |
| Previous Owner    | JARED E NUSBAUM<br>9051 WEST 65TH AVE<br>ARVADA, CO 80004<br>(303)431-8409 |
| Previous Owner    | LINDA S NUSBAUM<br>9051 WEST 65TH AVE<br>ARVADA, CO 80004<br>(303)431-8409 |
| Current Owner     | MATTHEW F BITNER<br>PO BOX 238<br>TETONIA, ID 83452<br>(208)456-2600       |
| Current Owner     | SALLY B BITNER<br>PO BOX 238<br>TETONIA, ID 83452<br>(208)456-2600         |

Status: Active

## GROUND WATER

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

## IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 22-13582

Total Acres: 35

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. 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 122.5 af for the lands above.
3. 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.

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: And  
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: