

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-16221

WATER RIGHT NUMBER: 36-16221

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	NASH FAMILY LIMITED PARTNERSHIP PO BOX 797 KETCHUM, ID 83340 (208) 725-0456
Current Owner	RICHARD S RUTKOWSKI
Current Owner	CORINNE SUSAN DAVIS-RUTKOWSKI PO BOX 367 KETCHUM, ID 8334 (208) 726-7386

Priority Date: 12/10/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	02/15 to 11/30	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

SPRINGS

GOODING County

L8 (SE1/4SE1/4SE1/4)

Sec. 6, Twp 08S, Rge 14E, B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T08S R14E S06 Lot 10 SWSE 1.6

Total Acres: 1.6

Conditions of Approval:

- THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.

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Conditions of Approval: (continued)

2. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
3. 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.

Comments:

1. E Retelle 6/30/2004 Ownership Change

Comment: Rights 36-16220 and 36-16221 are the results of a split of right 36-16164 by an ownership change.

2. ERetelle 6/30/2004 Condition

Comment: Place of use is located within Lot 12, Blk. 1, Oregon Trail Homesites Subdivision.

Dates and Other Information:

Decreed Date: 10/11/2000