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In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,
Limited, et. al.

Defendants.

In Equity

No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,
Clerk

By PEARL ZANGER,
Deputy.

MAY 14 1996

DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
13-0699 11-0634 0700 11-0634 11-0634 13-0701	323. James Swensen: 1877—May 1 1.2 c.f.s. 1883—May 1 0.8 c.f.s. 1905—May 1 1.4 c.f.s.	For the irrigation of 170 acres in Lot 3, the North half of Lot 4, the West half of the Southeast quarter of Section 18; the Northeast quarter of the Northwest quarter, and Lots 2 and 3 of Section 19, said Township and Range. Said water may also be diverted through the Mickelsen-Swensen Ditch, hereinbefore described, or by means of a ditch having its intake on the west side of Whisky Creek, opposite the point of said Mickelsen-Swensen ditch.
11-0630 13-0702	324. Mary Swensen: 1905—May 1 1.2 c.f.s.	For the irrigation of 60 acres in the South half of Lot 4 of Section 18, and Lot 1 of Section 19, said Township and Range. Said water may also be diverted through the Mickelsen-Swensen Ditch, hereinbefore described.
13-0703 0704 11-0634 0705 11-0634 0706 11-0634	325. Lars Rasmussen: 1881—May 1 0.4 c.f.s. 1905—May 1 0.5 c.f.s.	For the irrigation of 45 acres in the North half of the Southeast quarter of Section 24, Township 11 South, Range 40 East.
0707 11-0634 0708 11-0634 0709 11-0634 0710 11-0634 0711 11-0634	326. Harold L. Bassett: 1881—May 1 0.6 c.f.s. 1905—May 1 0.64 c.f.s.	For the irrigation of 62 acres in the East half of the Northeast quarter of Section 24, Township 11 South, Range 40 East.
Mendenhall Ditch, diverts on the East side of said Whiskey Creek, at a point North 37 degrees 20 minutes West 1815 feet from the Southeast corner of Section 24, Township 11 South, Range 40 East, B.M. The following parties are entitled to divert through said ditch, with priority and in the amount hereinbelow set forth:		
0707 11-0634 0708 11-0634	327. Thomas Bennett: 1877—May 1 0.4 c.f.s. 1905—May 1 0.9 c.f.s.	For the irrigation of 65 acres in the South half of the Southwest quarter of Section 30, Township 11 South, Range 41 East.
0709 11-0634 0710 11-0634 0711 11-0634	328. George C. Fowler: 1877—May 1 0.8 c.f.s. 1905—May 1 0.9 c.f.s. 1905—June 1 0.5 c.f.s.	For the irrigation of 110 acres in the North half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 30, Township 11 South, Range 41 East, B.M., and the South half of the North half of the South half of the Southeast quarter of Section 25, Township 11 South, Range 40 East.
0712 11-0634 0713 11-0634	329. J. W. Gibbs: 1878—May 1 0.6 c.f.s. 1905—May 1 0.9 c.f.s.	For the irrigation of 75 acres in Lot 1, and the Southeast quarter of the Northwest quarter of Section 31, Township 11 South, Range 41 East.
0714 11-0634	330. Michael Mickelsen: 1905—May 1 0.5 c.f.s.	For the irrigation of 50 acres in the South half of the Northeast quarter; Northwest

See Supplemental Decree dated 3-23-22

MAY 14 1996

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All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70192

This is to certify that: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037
(801)5449711

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
13-695	WR/Decreed	05/01/1880	0.4 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-696A	WR/Decreed	05/01/1905	0.78 cfs	N/A	N/A	40.0	WHISKEY CREEK
13-712A	WR/Decreed	05/01/1878	0.58 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-713	WR/Decreed	05/01/1905	0.9 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-718B	WR/Decreed	05/01/1880	0.55 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-718C	WR/Decreed	05/01/1880	0.23 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-719A	WR/Decreed	05/01/1905	0.85 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-719B	WR/Decreed	05/01/1905	0.85 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-720A	WR/Decreed	06/01/1905	0.65 cfs	N/A	N/A	N/A	WHISKEY CREEK
13-720B	WR/Decreed	06/01/1905	0.65 cfs	N/A	N/A	N/A	WHISKEY CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-695	NO	YES	YES	NO	NO	NO
13-696A	NO	YES	YES	NO	NO	NO
13-712A	NO	YES	YES	NO	NO	NO
13-713	NO	YES	YES	NO	NO	NO
13-718B	YES	YES	YES	NO	NO	NO
13-718C	YES	YES	YES	NO	NO	NO
13-719A	YES	YES	YES	NO	NO	NO
13-719B	YES	YES	YES	NO	NO	NO
13-720A	YES	YES	YES	NO	NO	NO
13-720B	YES	YES	YES	NO	NO	NO

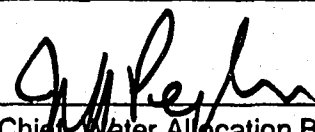
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70192

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
13-695	13-695	0.40 cfs	70.0 af	20.0	380.0		N/A	N/A	N/A	N/A
13-696A	13-696A	0.78 cfs	140.0 af	40.0	380.0		N/A	N/A	N/A	N/A
13-712A	13-712A	0.58 cfs	187.5 af	75.0	380.0		N/A	N/A	N/A	N/A
13-713	13-713	0.90 cfs	262.5 af	75.0	380.0		N/A	N/A	N/A	N/A
13-718B	13-7614	0.34 cfs	109.9 af	61.8	380.0	13-7613	0.21 cfs	N/A	N/A	38.2
13-718C	13-7622	0.21 cfs	67.9 af	148.6	380.0	13-7621	0.02 cfs	N/A	N/A	14.4
13-719A	13-7616	0.65 cfs	210.2 af	148.6	380.0	13-7615	0.20 cfs	N/A	N/A	14.4
13-719B	13-7618	0.53 cfs	171.4 af	61.8	380.0	13-7617	0.21 cfs	N/A	N/A	38.2
13-720A	13-7624	0.59 cfs	190.8 af	148.6	380.0	13-7623	0.06 cfs	N/A	N/A	14.4
13-720B	13-7620	0.41 cfs	132.5 af	61.8	380.0	13-7619	0.24 cfs	N/A	N/A	38.2
COMBINED										
TOTALS		5.39 cfs	1035.2 af	296.1	380.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-695
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-695 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1880

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.40 CFS	70.0 AF
			0.40 CFS	70.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0	40.0										80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

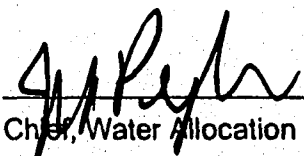
WATER RIGHT NO. 13-695
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-696A
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-696A is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.78 CFS	140.0 AF
			0.78 CFS	140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0	40.0										80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 13-696A
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. Rights 13-696A, 13-712A and 13-713 when combined shall not exceed a total annual maximum diversion volume of 280 af at the field headgate, and the irrigation of 80 acres.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 13-712A
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-712A is now described as follows.

Right Holder: CHARLES BARLOW
 1130 MANCHESTER DR
 KAYSVILLE UT 84037

Priority Date: May 01, 1878

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20 to	09/30	0.58 CFS	187.5 AF
			0.58 CFS	187.5 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0	40.0										80.0

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-712A and 13-713 when combined shall not exceed a total annual maximum diversion volume of 262.5 af at the field headgate, and the irrigation of 75 acres.
6. Rights 13-712A, 13-713 and 13-696A when combined shall not exceed a total annual maximum diversion volume of 280 af at the field headgate, and the irrigation of 80 acres.

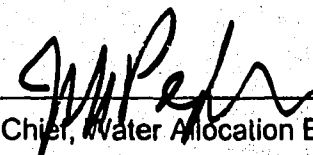
WATER RIGHT NO. 13-712A
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-713
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-713 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.90 CFS	262.5 AF
			0.90 CFS	262.5 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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	40E	25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S	40E	36	39.0	29.0	3.0	7.0	13.0												91.0
11S	41E	31					40.0		40.0										80.0

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 afa at the field headgate and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-712A, 13-713 and 13-696A when combined shall not exceed a total annual maximum diversion volume of 280 af and the irrigation of 80 acres.
6. Rights 13-712A, 13-713 and 13-696A when combined shall not exceed a total annual maximum diversion volume of 280 af at the field headgate, and the irrigation of 80 acres.

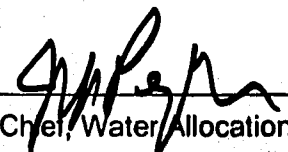
WATER RIGHT NO. 13-713
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7613
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7613 is now described as follows.

Right Holder: LEROY TURNER
ZZ

Priority Date: May 01, 1880

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.21 CFS	
			0.21 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	40E	25																X	X

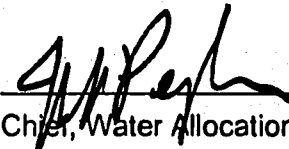
Total Acres: 38.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.2 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13-N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7614
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7614 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1880

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.34 CFS	109.9 AF
			0.34 CFS	109.9 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0		40.0									80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-7614, 13-7618 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 216.3 af at the field headgate, and the irrigation of 61.8 acres.

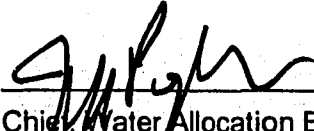
WATER RIGHT NO. 13-7614
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7615
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7615 is now described as follows.

Right Holder: HENRY R TURNER
ZZ

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU 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	
11S 40E 25	X			X									

Total Acres: 14.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.4 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 20 03

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7616
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7616 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20 to	09/30	0.65 CFS	210.2 AF
			0.65 CFS	210.2 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0	40.0										80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-7622, 13-7616 and 13-7624 when combined shall not exceed the irrigation of 148.6 acres.

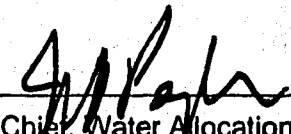
WATER RIGHT NO. 13-7616
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7617
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7617 is now described as follows.

Right Holder: LEROY TURNER
ZZ

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20 to	09/30	0.21 CFS	
			0.21 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 40E 25															X	X	

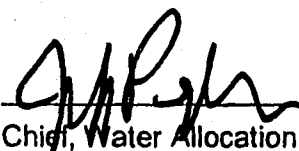
Total Acres: 38.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.2 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13-N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of Jun, 20 03


for Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7618
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7618 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	to 09/30	0.53 CFS	171.4 AF
			0.53 CFS	171.4 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0	40.0										80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. Rights 13-7614, 13-7618 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 216.3 af at the field headgate, and the irrigation of 61.8 acres.

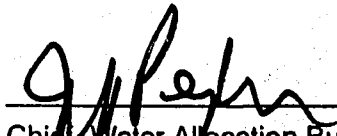
WATER RIGHT NO. 13-7618
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

5. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7619
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7619 is now described as follows.

Right Holder: LEROY TURNER
ZZ

Priority Date: June 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	to 09/30	0.24 CFS	
			0.24 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU 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	40E	25																X	X

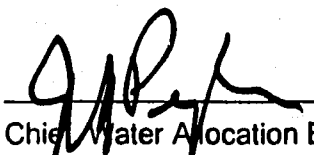
Total Acres: 38.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.2 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13-N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


for Chief Water Allocation Bureau

WATER RIGHT NO. 13-7620
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7620 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: June 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.41 CFS	132.5 AF
			0.41 CFS	132.5 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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 40E 25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S 40E 36	39.0	29.0	3.0	7.0	13.0												91.0
11S 41E 31						40.0		40.0									80.0
						L 1											

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-7614, 13-7618 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 216.3 af at the field headgate, and the irrigation of 61.8 acres.

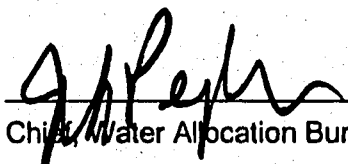
WATER RIGHT NO. 13-7620
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7621
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7621 is now described as follows.

Right Holder: HENRY TURNER
JOHN TURNER
ZZ

Priority Date: May 01, 1880

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	to 09/30	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 40E 25	X		X														

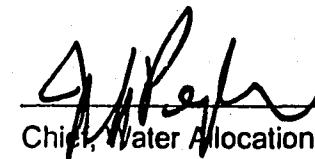
Total Acres: 14.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.4 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7622
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7622 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: May 01, 1880

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	to 09/30	0.21 CFS	67.9 AF
			0.21 CFS	67.9 AF

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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	40E	25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S	40E	36	39.0	29.0	3.0	7.0	13.0												91.0
11S	41E	31					40.0		40.0										80.0

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek..
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Rights 13-7622, 13-7624 and 13-7616 when combined shall not exceed the irrigation of 148.6 acres.

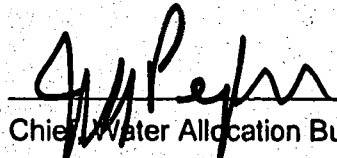
WATER RIGHT NO. 13-7622
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003


For Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7623
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7623 is now described as follows.

Right Holder: HENRY R TURNER
ZZ

Priority Date: June 01, 1905

Source: WHISKEY CREEK

Tributary: BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	09/30	0.06 CFS	
			0.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WHISKEY CREEK NESE Sec. 24 Twp 11S Rge 40E CARIBOU County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	40E	25	X			X													

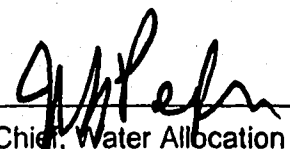
Total Acres: 14.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.4 acres within the place of use described above in a single irrigation season.
2. Approval of this transfer does not confirm the validity of this water right.
3. See supplemental decree, Turner vs Turner (13N).

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 2003

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 13-7624
As Modified by Transfer No. 70192

In accordance with the approval of Transfer No. 70192, Water Right No. 13-7624 is now described as follows.

Right Holder: CHARLES BARLOW
1130 MANCHESTER DR
KAYSVILLE UT 84037

Priority Date: June 01, 1905

Source: WHISKEY CREEK **Tributary:** BEAR RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/20	to 09/30	0.59 CFS	190.8 AF
			0.59 CFS	190.8 AF

LOCATION OF POINT(S) OF DIVERSION:
WHISKEY CREEK SWSE Sec. 24 Twp 11S Rge 40E CARIBOU 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	40E	25	29.0		40.0	34.0									39.0	40.0	13.0	14.0	209.0
11S	40E	36	39.0	29.0	3.0	7.0	13.0												91.0
11S	41E	31					40.0		40.0										80.0

Total Acres: 380

CONDITIONS OF APPROVAL

1. Rights 13-695, 13-696A, 13-712A, 13-713, 13-7622, 13-7614, 13-7616, 13-7618, 13-7624 and 13-7620 when combined shall not exceed a total annual maximum diversion volume of 1035.2 af at the field headgate, and the irrigation of 296.1 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13-S, Whiskey Creek.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

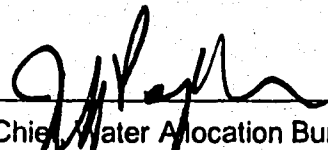
WATER RIGHT NO. 13-7624
As Modified by Transfer No. 70192

CONDITIONS OF APPROVAL

5. Rights 13-7622, 13-7616 and 13-7624 when combined shall not exceed the irrigation of 148.6 acres.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19 day of June, 20 03

For  Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 13-00712A
FROM: VAULT
RE: TRANSFER # 70192
DATE: 10-15-02

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 13-00695

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 13-712A

WATER RIGHT NUMBER: 13-712A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J W GIBBS ID

Priority Date: 05/01/1878

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WHISKEY CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/20	9/30	0.580 CFS	
	<u>Total Diversion:</u>		0.580 CFS	

Location of Point(s) of Diversion

WHISKEY CREEK	NE1/4SE1/4	Sec. 24, Twp 11S, Rge 40E, B.M.
CARIBOU 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	41E	31						X		X									
								L1											

Conditions of Approval:Remarks:

1. General P/U 75 ACRES.

Comments:Dates and Other Information: