

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16209

WATER RIGHT NUMBER: 36-16209

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DUFF BROTHERS RT 1 BOX 1101 PAUL, ID 83347 (208)438-5392
Current Owner	MINIDOKA LUMBER CO PO BOX 730 PAUL, ID 83347-0730 (208)438-8059

Priority Date: 10/29/1973

Basis: Decreed

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	04/01 to 10/31	4.360 CFS	1,276.00 AF
	<u>Total Diversion:</u>	4.360 CFS	1,276.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4NW1/4	Sec. 32, Twp 08S, Rge 22E, B.M.
MINIDOKA County		
GROUND WATER	NW1/4NE1/4NE1/4	Sec. 32, Twp 08S, Rge 22E, B.M.
MINIDOKA 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	
08S	22E	32	39.0	40.0	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	634.0

Total Acres: 634

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under Rights 36-2345, 36-2544, and 36-16209 shall not exceed 8.81 cfs, nor a total combined annual volume of 2536.0 af for the irrigation of 634 acres.
2. T18 Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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3. 131 Prior to the diversion and use of water under Transfer approval 71116, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. X27 This right is limited to the irrigation of 319 acres within the place of use described above in a single irrigation season.
5. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
6. R05 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. 130.
7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. 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.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

Remarks:Comments:

1. psdaggs 10/14/2004 4:03:00 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 71116

Dates and Other Information:

Licensed Date:
 Decreed Date: 8/27/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 130
 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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<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
8.81	2536	634
Combined Water Rights: 36-16209 , 36-2345 , 36-2544		

Water Supply Bank: