



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 23, 2024

SUSAN AND RAY MONTIERTH
825 HEARTLAND DR.
NAMPA, ID 83686-8156

CS PROPERTY DEVELOPMENT LLC
PO BOX 27
BOISE, ID 83707-0027

BRISBIE LLC
C/O MICHAEL P. LAWRENCE
GIVENS PURSLEY LLP
601 W BANNOCK ST
BOISE, ID 83702-5919

SEELER WEST REAL ESTATE LLC
1 GENSTAR LN., STE. C
JOLIET, IL 60435-2675

Dear Water Right Holders:

The Idaho Department of Water Resources has processed a number of Notices of Change in Ownership for two related water rights (63-7531, and 63-10383), resulting in the creation of “child” rights – split portions of the original rights. You are receiving this letter because you are listed as an owner of one or more of these water rights. It has come to our attention that some of the ownership changes were processed incorrectly, inadvertently resulting in water right records that do not correctly reflect the rights as decreed or licensed. The Department has revised the ownership change splits to more accurately reflect the portions conveyed that are consistent with the original water right descriptions. This letter is sent to provide you with a copy of the corrected water rights and some explanation of the purpose and effect of the changes. Please see the attached copies of the water right proof reports for 63-7531, 63-35356, 63-35411, and 63-10383, both as they were before this correction, and as they are now. In short, the changes are as follows:

1. Preserve the original diversion rate and volume of 63-7531 by adding a combined diversion rate limitation to it and its “children,” and modifying the combined diversion volume limitation for these rights. These changed limitations reflect a reduction to the overall amounts available to be conveyed by Montierth following a previous (2015) ownership change and subsequent transfer (2018) that removed portions from the right.
2. Preserve the combined diversion rate limitation between 63-7531 and 63-10383 by reducing it from 5.87 to 4.76 to reflect, to the extent possible, the amounts available to Montierth to convey to other owners following the 2015 and 2018 changes described above.

If you have questions or concerns about the ownership change corrections, please contact this office.

Sincerely,

Nick Miller
Manager, IDWR Western Region

SUPPORT DATA

IN FILE # 63-7531

Enclosures.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2024

Water Right 63-7531

Owner Type **Name and Address**
Current Owner SUSAN MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686-8156
(208) 989-8310

Current Owner RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686-8156
(208) 989-8310

Priority Date: 12/10/1971

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	2.110 CFS	360.0 AF
	<u>Total Diversion</u>		2.110 CFS	360.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

COMMERCIAL within ADA County

			NE				NW				SW				SE					
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
01N	02E	7										X L3								

Conditions of Approval:

1. Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 662.7 af.

Proof Report

2. X35 Rights 63-7531, 63-35356, and 63-35411, when combined shall not exceed a total diversion rate of 2.91 cfs.
3. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 4.76 cfs.
4. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
5. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6. A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
7. Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. WD8 The place of commercial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the commercial component of this right shall not be land applied unless the water is first used for the commercial purpose authorized under this right.
9. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. 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.
13. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

1 segbert 4/28/2008 Corrected recommendation
Version 2 was necessary to correct some conditions on the recommendation that were in the wrong place or missing on the original recommendation. These conditions were from Transfer 5442.

2 kwalker 3/17/2015 POU
Updated Shape

3 kwalker 3/17/2015 GIS shape
Updated shape to ppu as decreed.

4 kwalker 4/15/2015 Updated Shape
Updated POUShape

IDAHO DEPARTMENT OF WATER RESOURCES
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5	rsommer	4/16/2015	Transferred Right
This is now an approved transfer. Transfer Number = 79803			
6	agrimm	6/9/2015	POD
PODID 876695 correlated from SpatialDataID 73968 to SpatialDataID 404487			
7	agrimm	6/9/2015	POD
PODID 876694 correlated from SpatialDataID 404478 to SpatialDataID 404486			
8	agrimm	6/9/2015	POD
PODID 876696 correlated from SpatialDataID 495343 to SpatialDataID 451605			
9	agrimm	6/9/2015	POD
PODID 876697 correlated from SpatialDataID 495344 to SpatialDataID 404481			
10	agrimm	6/9/2015	POD
PODID 876698 correlated from SpatialDataID 495345 to SpatialDataID 404482			
11	agrimm	6/10/2015	POD
PODID 876693 correlated from SpatialDataID 495339 to SpatialDataID 496411			
12	agrimm	6/11/2015	POD
PODID 876696 correlated from SpatialDataID 451605 to SpatialDataID 496423			
13	agrimm	6/11/2015	POD
PODID 876697 correlated from SpatialDataID 404481 to SpatialDataID 496421			
14	agrimm	6/11/2015	POD
PODID 876698 correlated from SpatialDataID 404482 to SpatialDataID 496420			
15	Renumber	4/29/2016	Ownership Change Split WR 63-7531
WR no. 63-7531 has been split by ownership change into WR nos. 63-7531 and 63-34224.			
16	agrimm	4/29/2016	POU
Updated Shape			
17	phummer	3/9/2018	Updated Shape
Updated POD Shape			
18	rneely	7/27/2018	Transferred Right
This is now an approved transfer. Transfer Number = 81871			
19	jhersley	12/1/2022	Split Right
Split into 63-7531 and 63-35356 due to change in ownership.			
20	jhersley	5/2/2023	Split Right

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Proof Report

Split into 63-7531 & 63-35411 due to a change in ownership. Montierth conveyed the domestic and stockwater use and a portion of the commercial. The POU remains the same however Montierth doesn't own the land this portion of the commercial use is appurtenant too.

21 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042

22 nmiller 7/23/2024 Ownereship Change correction
This right was changed to reflect a reduction in combined diversion rates and volume due to prior ownership change splits.

Dates and Other Information:

Decreed Date: 7/30/2009

State or Federal: S

Water District Number: EXC

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.5

Mitigation Plan: False

Combined Use Limits:**Rate**

4.760

Volume

662.7

Acres**Water Rights**

63-10383 ,63-7531 ,63-
35356 ,63-35411
63-7531 ,63-35356 ,63-
35411

SubCase:

N/A

Water Supply Bank:

N/A

7/23/2024

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRISBIE LLC C/O GIVENS PURSLEY LLP 601 W BANNOCK ST BOISE, ID 83702-5919 (208) 388-1200

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.560 CFS	602.3 AF
INDUSTRIAL	01/01	12/31	2.200 CFS	1,593.0 AF
	Total Diversion		4.760 CFS	2,195.3 AF

GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County

			NE		NW			SW				SE							
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	X L1	X L2	X	X	X L3			X						X	X		
01N	02E	7					X	X L1	X L2		X			X L4	X			X	
01N	02E	18	X	X		X	X	X L1	X L2	X	X	X L3	X L4	X					
02N	02E	31									X	X L3	X L4	X			X		

NE NW SW SE

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Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0 L1	40.0 L2	40.0	40.0	40.0 L3			40.0						6.0	6.0		247.0
01N	02E	7					40.0	40.0 L1	40.0 L2		40.0		36.0 L4	32.0			32.0		260.0
01N	02E	18	32.0	40.0		40.0	40.0	40.0 L1	40.0 L2	40.0	40.0	40.0 L3	40.0 L4	40.0					432.0
02N	02E	31									40.0	40.0 L3	40.0 L4	40.0			40.0		200.0

Right Acre Limit: 128.10
POU Total Acres: 1,139.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 128.1 acres within the authorized place of use in a single irrigation season.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 4.76 cfs.
4. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
5. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/13/2000.
7. A single new point of diversion is authorized in either Lot 4 (SWSW) or SESW, S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
8. Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
9. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the industrial component of this right shall not be land applied unless the water is first used for the industrial purpose authorized under this right.
10. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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13. 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.

Comments:

1 PSKAGGS 3/11/2000 TRANSFER 5442
Transfer 5442 adds & changes the points of diversion, and changes the place of use under Rights 63-03362, 63-07531, 63-10383 & 63-11347 creating a combined system of 7 wells & a 1286.0 acre permissible place of use for irrigation.

2 PSKAGGS 5/2/2000 AMENDED TRANSFER 5442
AMENDED TRANSFER 5442 SIGNED 4-27-2000.

3 segbert 1/19/2010 POD
PODID 100528 correlated from SpatialDataID 74546 to SpatialDataID 74547

4 segbert 2/10/2010 POD
PODID 100527 correlated from SpatialDataID 74561 to SpatialDataID 404082

5 segbert 2/17/2010 POD
PODID 100528 correlated from SpatialDataID 74547 to SpatialDataID 404478

6 jhersley 11/16/2011 extension of time
Extension of Time to Avoid forfeiture for industrial use approved thru November 1, 2016.

7 mciscell 6/10/2013 POD
Bulk Generate Shape From PLS

8 kwalker 4/15/2015 Updated Shape
Updated POUShape

9 rsommer 4/16/2015 Transferred Right
This is now an approved transfer. Transfer Number = 79803

10 agrimm 6/9/2015 POD
PODID 876679 correlated from SpatialDataID 73968 to SpatialDataID 404487

11 agrimm 6/9/2015 POD
PODID 876678 correlated from SpatialDataID 404478 to SpatialDataID 404486

12 agrimm 6/9/2015 POD
PODID 876680 correlated from SpatialDataID 495343 to SpatialDataID 451605

13 agrimm 6/9/2015 POD
PODID 876681 correlated from SpatialDataID 495344 to SpatialDataID 404481

14 agrimm 6/9/2015 POD
PODID 876682 correlated from SpatialDataID 495345 to SpatialDataID 404482

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15	agrimm	6/10/2015	POD
PODID 876677 correlated from SpatialDataID 495339 to SpatialDataID 496411			
16	agrimm	6/11/2015	POD
PODID 876680 correlated from SpatialDataID 451605 to SpatialDataID 496423			
17	agrimm	6/11/2015	POD
PODID 876681 correlated from SpatialDataID 404481 to SpatialDataID 496421			
18	agrimm	6/11/2015	POD
PODID 876682 correlated from SpatialDataID 404482 to SpatialDataID 496420			
19	Renumber	4/29/2016	Ownership Change Split WR 63-10383
WR no. 63-10383 has been spli by ownership change into WR nos. 63-10383 and 63-34225.			
20	agrimm	4/29/2016	POU
Updated Shape			
21	phummer	3/9/2018	Updated Shape
Updated POD Shape			
22	phummer	3/12/2018	Updated Shape
Updated POD Shape			
23	rneely	7/27/2018	Transferred Right
This is now an approved transfer. Transfer Number = 81871			
24	LEvans	6/13/2024	Transferred Right
This is now an approved transfer. Transfer Number = 87042			
25	nmler	7/23/2024	Ownership Change Correction
This right was changed to reflect a reduction in combined diversion rate due to prior ownership change splits.			

Dates and Other Information:

Licensed Date: 11/16/1993
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2024

4.760

63-10383 ,63-7531 ,63-
35356 ,63-35411

SubCase:
N/A

Water Supply Bank:

Lease ID: 1794
Lease Type: Contract
Lease Status: Active
Lease Start Date: 1/1/2024
Lease End Date: 12/31/2024

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	2.56	602.30	128.10	128.10

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2024

Water Right 63-35356

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CS PROPERTY DEVELOPMENT LLC PO BOX 27 BOISE, ID 83707-0027 (208) 780-7359

Priority Date: 12/10/1971
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>Volume</u>
IRRIGATION	03/15	11/15	2.510 CFS	360.0 AF
	<u>Total Diversion</u>		2.510 CFS	360.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

IRRIGATION within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02E	6	35.0 L1	40.0 L2	40.0	40.0	40.0 L3			40.0						6.0	6.0		247.0
01N	02E	7					40.0	40.0 L1	40.0 L2		40.0		36.0 L4	32.0			32.0		260.0
01N	02E	18	32.0	40.0		40.0	40.0	40.0 L1	40.0 L2	40.0	40.0	40.0 L3	40.0 L4	40.0					432.0
02N	02E	31									40.0	40.0 L3	40.0 L4	40.0			40.0		200.0

Right Acre Limit: 135.80
POU Total Acres: 1,139.0

Conditions of Approval:

Proof Report

1. X27 This right is limited to the irrigation of 135.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 63-7531, 63-35356, and 63-35411, when combined shall not exceed a total diversion rate of 2.91 cfs.
3. Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 662.7 af.
4. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 4.76 cfs.
5. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 30, 2009.
9. A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
10. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

- 1 jhersley 12/1/2022 POU
Updated Shape
- 2 jhersley 12/1/2022 Split Right
This right is the result of split from 63-7531 due to change in ownership.
- 3 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042
- 4 nmiller 7/23/2024 Ownership Change Correction
This right was changed to reflect a reduction in combined diversion rates and volume due to prior ownership change splits.

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7/23/2024

Dates and Other Information:

Decreed Date: 7/30/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>
4.760	
2.910	662.7

Acres

Water Rights

63-10383 ,63-7531 ,63-
35356 ,63-35411
63-7531 ,63-35356 ,63-
35411

SubCase:

N/A

Water Supply Bank:

N/A

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7/23/2024

Water Right 63-35411

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEELER WEST REAL ESTATE LLC 1 GENSTAR LN STE C JOLIET, IL 60435-2675

Priority Date: 12/10/1971

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>Volume</u>
STOCKWATER	01/01	12/31	0.200 CFS	13.4 AF
COMMERCIAL	01/01	12/31	1.090 CFS	360.0 AF
DOMESTIC	01/01	12/31	0.200 CFS	11.2 AF
	<u>Total Diversion</u>		1.090 CFS	384.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

DOMESTIC within ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7																	
													X L3						

COMMERCIAL within ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7																	
													X L3						

STOCKWATER within ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

7/23/2024

[illegible]

1.	X35	Rights 63-7531, 63-35356, and 63-35411, when combined shall not exceed a total diversion rate of 2.91 cfs.
2.		Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 662.7 af.
3.	X35	Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 4.76 cfs.
4.		Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
5.	214	Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6.		A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
7.		Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8.	WD8	The place of commercial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the commercial component of this right shall not be land applied unless the water is first used for the commercial purpose authorized under this right.
9.		Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
10.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12.	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.
13.	T19	Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

1	ihersley	5/2/2023	POU
Updated Shape			
2	ihersley	5/2/2023	Split Right

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2024

This right is the result of split from 63-7531 due to change in ownership. The entire stockwater and domestic portion was conveyed and a portion of the commercial.

3 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042

4 nmiller 7/23/2024 Ownership Change Correction
This right was changed to reflect a reduction in combined diversion rates and volume due to prior ownership change splits.

Dates and Other Information:

Decreed Date: 7/30/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.760			63-10383 ,63-7531 ,63-35356 ,63-35411
2.910	662.7		63-7531 ,63-35356 ,63-35411

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

Water Right 63-7531

Owner Type **Name and Address**
Current Owner SUSAN MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686-8156
(208) 989-8310

Current Owner RAY MONTIERTH
825 HEARTLAND DR
NAMPA, ID 83686-8156
(208) 989-8310

Priority Date: 12/10/1971

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	2.110 CFS	360.0 AF
	<u>Total Diversion</u>		2.110 CFS	360.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

COMMERCIAL within ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	7																	
													X						
													L3						

X
L3

Conditions of Approval:

1. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 5.87 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

2. Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 744.6 af.
3. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
4. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
5. A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
6. Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7. WD8 The place of commercial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the commercial component of this right shall not be land applied unless the water is first used for the commercial purpose authorized under this right.
8. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 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.
12. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

1 segbert 4/28/2008 Corrected recommendation
 Version 2 was necessary to correct some conditions on the recommendation that were in the wrong place or missing on the original recommendation. These conditions were from Transfer 5442.

2 kwalker 3/17/2015 POU
 Updated Shape

3 kwalker 3/17/2015 GIS shape
 Updated shape to ppu as decreed.

4 kwalker 4/15/2015 Updated Shape
 Updated POUShape

5 rsommer 4/16/2015 Transferred Right

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

This is now an approved transfer. Transfer Number = 79803

6 agrimm 6/9/2015 POD
PODID 876695 correlated from SpatialDataID 73968 to SpatialDataID 404487

7 agrimm 6/9/2015 POD
PODID 876694 correlated from SpatialDataID 404478 to SpatialDataID 404486

8 agrimm 6/9/2015 POD
PODID 876696 correlated from SpatialDataID 495343 to SpatialDataID 451605

9 agrimm 6/9/2015 POD
PODID 876697 correlated from SpatialDataID 495344 to SpatialDataID 404481

10 agrimm 6/9/2015 POD
PODID 876698 correlated from SpatialDataID 495345 to SpatialDataID 404482

11 agrimm 6/10/2015 POD
PODID 876693 correlated from SpatialDataID 495339 to SpatialDataID 496411

12 agrimm 6/11/2015 POD
PODID 876696 correlated from SpatialDataID 451605 to SpatialDataID 496423

13 agrimm 6/11/2015 POD
PODID 876697 correlated from SpatialDataID 404481 to SpatialDataID 496421

14 agrimm 6/11/2015 POD
PODID 876698 correlated from SpatialDataID 404482 to SpatialDataID 496420

15 Renumber 4/29/2016 Ownership Change Split WR 63-7531
WR no. 63-7531 has been split by ownership change into WR nos. 63-7531 and 63-34224.

16 agrimm 4/29/2016 POU
Updated Shape

17 phummer 3/9/2018 Updated Shape
Updated POD Shape

18 rneely 7/27/2018 Transferred Right
This is now an approved transfer. Transfer Number = 81871

19 jhersley 12/1/2022 Split Right
Split into 63-7531 and 63-35356 due to change in ownership.

20 jhersley 5/2/2023 Split Right
Split into 63-7531 & 63-35411 due to a change in ownership. Montierth conveyed the domestic and stockwater use and a portion of the commercial. The POU remains the same however Montierth doesn't owner the land this portion of the commercial use is appurtenant too.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

21 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042

Dates and Other Information:

Decreed Date: 7/30/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.870		
8.880	1,139.0	525.2

Water Rights

63-10383 ,63-7531 ,63-
34224 ,63-34225 ,63-
35356 ,63-35411
63-10383 ,63-11347 ,63-
7531 ,63-3362 ,63-
34795 ,63-35356 ,63-
35411

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

Water Right 63-10383

Owner Type **Name and Address**
Current Owner BRISBIE LLC C/O GIVENS PURSLEY
LLP
601 W BANNOCK ST
BOISE, ID 83702-5919
(208) 388-1200

Priority Date: 9/23/1986

Basis: License

Status: Active

Source **Tributary**
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.560 CFS	602.3 AF
INDUSTRIAL	01/01	12/31	2.200 CFS	1,593.0 AF
	<u>Total Diversion</u>		4.760 CFS	2,195.3 AF

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County

Place Of Use:

INDUSTRIAL within ADA County

			NE				NW				SW				SE							
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals			
01N	02E	6	X L1	X L2	X	X	X L3				X						X	X				
01N	02E	7					X	X L1	X L2		X		X L4	X				X				
01N	02E	18	X	X		X	X	X L1	X L2	X	X	X L3	X L4	X								
02N	02E	31									X	X L3	X L4	X				X				

IRRIGATION within ADA County

NE				NW				SW				SE			
----	--	--	--	----	--	--	--	----	--	--	--	----	--	--	--

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0 L1	40.0 L2	40.0	40.0	40.0 L3			40.0						6.0	6.0		247.0
01N	02E	7					40.0	40.0 L1	40.0 L2		40.0		36.0 L4	32.0			32.0		260.0
01N	02E	18	32.0	40.0		40.0	40.0	40.0 L1	40.0 L2	40.0	40.0	40.0 L3	40.0 L4	40.0					432.0
02N	02E	31									40.0	40.0 L3	40.0 L4	40.0			40.0		200.0

Right Acre Limit: 128.10
POU Total Acres: 1,139.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 128.1 acres within the authorized place of use in a single irrigation season.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 5.87 cfs.
4. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
5. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
6. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/13/2000.
7. A single new point of diversion is authorized in either Lot 4 (SWSW) or SESW, S18, T01N, R02E to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
8. Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
9. WD8 The place of industrial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the industrial component of this right shall not be land applied unless the water is first used for the industrial purpose authorized under this right.
10. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

13. 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.

Comments:

1 PSKAGGS 3/11/2000 TRANSFER 5442
Transfer 5442 adds & changes the points of diversion, and changes the place of use under Rights 63-03362, 63-07531, 63-10383 & 63-11347 creating a combined system of 7 wells & a 1286.0 acre permissible place of use for irrigation.

2 PSKAGGS 5/2/2000 AMENDED TRANSFER 5442
AMENDED TRANSFER 5442 SIGNED 4-27-2000.

3 segbert 1/19/2010 POD
PODID 100528 correlated from SpatialDataID 74546 to SpatialDataID 74547

4 segbert 2/10/2010 POD
PODID 100527 correlated from SpatialDataID 74561 to SpatialDataID 404082

5 segbert 2/17/2010 POD
PODID 100528 correlated from SpatialDataID 74547 to SpatialDataID 404478

6 jhersley 11/16/2011 extension of time
Extension of Time to Avoid forfeiture for industrial use approved thru November 1, 2016.

7 mciscell 6/10/2013 POD
Bulk Generate Shape From PLS

8 kwalker 4/15/2015 Updated Shape
Updated POUShape

9 rsommer 4/16/2015 Transferred Right
This is now an approved transfer. Transfer Number = 79803

10 agrimm 6/9/2015 POD
PODID 876679 correlated from SpatialDataID 73968 to SpatialDataID 404487

11 agrimm 6/9/2015 POD
PODID 876678 correlated from SpatialDataID 404478 to SpatialDataID 404486

12 agrimm 6/9/2015 POD
PODID 876680 correlated from SpatialDataID 495343 to SpatialDataID 451605

13 agrimm 6/9/2015 POD
PODID 876681 correlated from SpatialDataID 495344 to SpatialDataID 404481

14 agrimm 6/9/2015 POD
PODID 876682 correlated from SpatialDataID 495345 to SpatialDataID 404482

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

15 agrimm 6/10/2015 POD
PODID 876677 correlated from SpatialDataID 495339 to SpatialDataID 496411

16 agrimm 6/11/2015 POD
PODID 876680 correlated from SpatialDataID 451605 to SpatialDataID 496423

17 agrimm 6/11/2015 POD
PODID 876681 correlated from SpatialDataID 404481 to SpatialDataID 496421

18 agrimm 6/11/2015 POD
PODID 876682 correlated from SpatialDataID 404482 to SpatialDataID 496420

19 Renumber 4/29/2016 Ownership Change Split WR 63-10383
WR no. 63-10383 has been spli by ownership change into WR nos. 63-10383 and 63-34225.

20 agrimm 4/29/2016 POU
Updated Shape

21 phummer 3/9/2018 Updated Shape
Updated POD Shape

22 phummer 3/12/2018 Updated Shape
Updated POD Shape

23 rneely 7/27/2018 Transferred Right
This is now an approved transfer. Transfer Number = 81871

24 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042

Dates and Other Information:

Licensed Date: 11/16/1993
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>
8.880	1,139.0

<u>Acres</u>
525.2

Water Rights

63-10383 ,63-11347 ,63-
7531 ,63-3362 ,63-
34795 ,63-35356 ,63-
35411

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

5.870

63-10383 ,63-7531 ,63-
34224 ,63-34225 ,63-
35356 ,63-35411

SubCase:
N/A

Water Supply Bank:

Lease ID: 1794

Lease Type: Contract
Lease Status: Active
Lease Start Date: 1/1/2024
Lease End Date: 12/31/2024

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	2.56	602.30	128.10	128.10

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report BEFORE CORRECTIONS

7/23/2024

Water Right 63-35356

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CS PROPERTY DEVELOPMENT LLC PO BOX 27 BOISE, ID 83707-0027 (208) 780-7359

Priority Date: 12/10/1971
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>Volume</u>
IRRIGATION	03/15	11/15	2.510 CFS	360.0 AF
	<u>Total Diversion</u>		2.510 CFS	360.0 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

IRRIGATION within ADA County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	02E	6	35.0 L1	40.0 L2	40.0	40.0	40.0 L3			40.0						6.0	6.0		247.0
01N	02E	7					40.0	40.0 L1	40.0 L2	40.0			36.0 L4	32.0			32.0		260.0
01N	02E	18	32.0	40.0		40.0	40.0	40.0 L1	40.0 L2	40.0	40.0	40.0 L3	40.0 L4	40.0					432.0
02N	02E	31									40.0	40.0 L3	40.0 L4	40.0			40.0		200.0

Right Acre Limit: 135.80
POU Total Acres: 1,139.0

Conditions of Approval:

Proof Report **BEFORE CORRECTIONS**

1. X27 This right is limited to the irrigation of 135.8 acres within the authorized place of use in a single irrigation season.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 5.87 cfs.
4. Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 744.6 af.
5. Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
6. 214 Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
7. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 03/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than July 30, 2009.
8. A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
9. Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. T19 Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

- | | | | |
|--|----------|-----------|-------------------|
| 1 | jhersley | 12/1/2022 | POU |
| Updated Shape | | | |
| 2 | jhersley | 12/1/2022 | Split Right |
| This right is the result of split from 63-7531 due to change in ownership. | | | |
| 3 | LEvans | 6/13/2024 | Transferred Right |
| This is now an approved transfer. Transfer Number = 87042 | | | |

Dates and Other Information:

Decreed Date: 7/30/2009
 State or Federal: S
 Water District Number: EXC

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

Generic Max Rate Per Acre: 0.020
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
5.870			63-10383 ,63-7531 ,63-34224 ,63-34225 ,63-35356 ,63-35411
8.880	1,139.0	525.2	63-10383 ,63-11347 ,63-7531 ,63-3362 ,63-34795 ,63-35356 ,63-35411

SubCase:
N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

Water Right 63-35411

Owner Type **Name and Address**
Current Owner SEELER WEST REAL ESTATE LLC
 1 GENSTAR LN STE C
 JOLIET, IL 60435-2675

Priority Date: 12/10/1971
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.200 CFS	13.4 AF
COMMERCIAL	01/01	12/31	1.090 CFS	360.0 AF
DOMESTIC	01/01	12/31	0.200 CFS	11.2 AF
	<u>Total Diversion</u>		1.090 CFS	384.6 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(SWSW)	Sec. 18, Twp 01N, Rge 02E, ADA County
GROUND WATER	L2(NWNE)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NENW)	Sec. 6, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	L3(NWSW)	Sec. 7, Twp 01N, Rge 02E, ADA County
GROUND WATER	SWSE	Sec. 31, Twp 02N, Rge 02E, ADA County
GROUND WATER	SESW	Sec. 18, Twp 01N, Rge 02E, ADA County

Place Of Use:

DOMESTIC within ADA County

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
Twp	Rng	Sec																	
01N	02E	7												X L3					

COMMERCIAL within ADA County

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
Twp	Rng	Sec																	
01N	02E	7												X L3					

STOCKWATER within ADA County

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
Twp	Rng	Sec																	

7/23/2024

01N	02E	7	X L3
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1.	X35	Rights 63-7531, 63-10383, 63-35356, and 63-35411 when combined shall not exceed a total diversion rate of 5.87 cfs.
2.		Rights 63-7531, 63-35356, and 63-35411 when combined are not to exceed an annual volume of 744.6 af.
3.		Right holder is required to utilize cold water wells to their capacity. Low temperature geothermal water from the point of diversion in NWNE, S06, T01N, R02E, shall only be diverted at a rate equal to the remaining portion of 2.23 cfs not capable of being satisfied by cold water wells.
4.	214	Prior to the diversion and use of water under Transfer approval 81871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion 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.
5.		A single new point of diversion is authorized in either Lot 4(SWSW), or SESW, S18, T01N, R02E, to provide water that shall not exceed a temperature greater than 85 degrees Fahrenheit.
6.		Use of water under this right shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
7.	WD8	The place of commercial use authorized by this right includes land upon which wastewater may be applied for wastewater treatment purposes to satisfy water quality requirements. Water diverted under the commercial component of this right shall not be land applied unless the water is first used for the commercial purpose authorized under this right.
8.		Wastewater pond is located within Lot 1 (NWNW), S19, T01N, R02E B.M.
9.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11.	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.
12.	T19	Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

1 jhersley 5/2/2023 POU
Updated Shape

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63-35411

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report **BEFORE CORRECTIONS**

7/23/2024

3 LEvans 6/13/2024 Transferred Right
This is now an approved transfer. Transfer Number = 87042

Dates and Other Information:

Decreed Date: 7/30/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.870		
8.880	1,139.0	525.2

Water Rights

63-10383 ,63-7531 ,63-
34224 ,63-34225 ,63-
35356 ,63-35411
63-10383 ,63-11347 ,63-
7531 ,63-3362 ,63-
34795 ,63-35356 ,63-
35411

SubCase:

N/A

Water Supply Bank:

N/A