

DEPARTMENT OF
WATER RESOURCES

STANDARD FORM 5

IDWR Concurrence:

Carter Fritschle 9-15-06
Carter Fritschle Date
Section Manager Adjudication Bureau

Nicholas B. Spencer 9-11-06
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21721

NAME AND ADDRESS: BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 2.857 CFS

~~Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to a total combined diversion rate of 5.50 cfs for irrigation.~~

Right nos. 37-793, 37-7216 and 37-21721 are limited to a total combined diversion rate of 4.857 cfs for irrigation.

PRIORITY DATE: 04/01/1888

In the event of a call in times of scarcity, the diversion of water for this right from the point of diversion located in T06S, R13E, S17, NESESE (also known as Montana Mining Company Spring No. 9) is junior to the diversion of water from the same spring for Water Right Nos. 37-7218 and 37-21222.

POINT OF DIVERSION:

T06S R13E S17 NENW Within GOODING County
T06S R13E S17 NENWNW Within GOODING County
T06S R13E S17 NESESE Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.857 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S07	SESE	12.00	T06S R13E S08	SWSW	7.00
T06S R13E S17	NENW	8.00	T06S R13E S17	NWNW	29.00
T06S R13E S17 Lot 1 SWNW		20.00	T06S R13E S17	SENE	5.00
T06S R13E S17 Lot 2 NESW		1.00	T06S R13E S17 Lot 2 NWSW		5.00
T06S R13E S18 Lot 7 NENE		4.00	T06S R13E S18 Lot 7 SENE		1.00

92 ACRES TOTAL

~~Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to the irrigation of a combined total of 127 acres in a single irrigation season.~~

Right nos. 37-793, 37-7216 and 37-21721 are limited to the irrigation of a combined total of 92 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-789.

Sources are also known as Montana Mining Company Ditch Spring No. 9, Montana Mining Company Ditch Spring No. 10 and Montana Mining Company Ditch Spring No. 11.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on DECEMBER 12, 2006, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

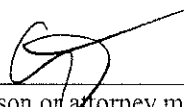
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

J. Dee May
Justin May
1419 W. Washington
P.O. Box 6091
Boise, ID 83707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

C. Tom Arkoosh
Arkoosh Law
301 Main St.
P.O. Box 32
Gooding, ID 83330

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form