

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20903
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BLAINE COUNTY SCHOOL DISTRICT #61 Phone: (208)788-2296
118 W BULLION ST
HAILEY ID 83333

2. Date of Priority: 07/21/1966

3. Source: GROUND WATER , GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	18E	10	SW	NW	SE	BLAINE	
02N	18E	10	NE	SW	SE	BLAINE	

5. Description of diverting works:

New well to be drilled, 35 hp motor, pump, mainline to sprinklers & other well
in system

Existing well, 40 hp motor, pump, mainline to sprinklers & other well in system

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	06/01	10/01	0.19	31.8

7. Total Quantity Appropriated is:

0.19 C.F.S. and/or 31.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	10	NE	SE	IRRIGATION	0.1
			NW	SE	IRRIGATION	14.2
			SW	SE	IRRIGATION	7.9
			Section Acres			22.2
02N	18E	15	NE	NE	IRRIGATION	9.2
			NW	NE	IRRIGATION	2.1
			Section Acres			11.3
			Total Acres			33.5

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is limited to the irrigation of 10.6 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.

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. 37.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 6/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. Basis of Claim: License

09/15/2006

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

RIGHT NUMBER: 37-20903

NAME AND ADDRESS: BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.190 CFS
31.800 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.

Right Nos. 37-20903 and 37-08821 are limited to a total combined diversion rate of 0.99 cfs and to a total combined annual diversion volume of 112.0 AF.

PRIORITY DATE: 07/21/1966

POINT OF DIVERSION:

T02N R18E S10 SWNWSE Within BLAINE County

T02N R18E S10 NESWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

06/01 10/01

0.190 CFS

31.80 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 6/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION Within BLAINE County

T02N R18E S10	NESE	0.10	T02N R18E S10	NWSE	14.20
T02N R18E S10	SWSE	7.90	T02N R18E S15	NENE	9.20
T02N R18E S15	NWNE	2.10			

33.5 ACRES TOTAL

This right is limited to the irrigation of 10.6 acres within the place of use described above 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.

09/15/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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. 37.



Idaho Department of Water Resources

SRBA Recommendation:

37-20903

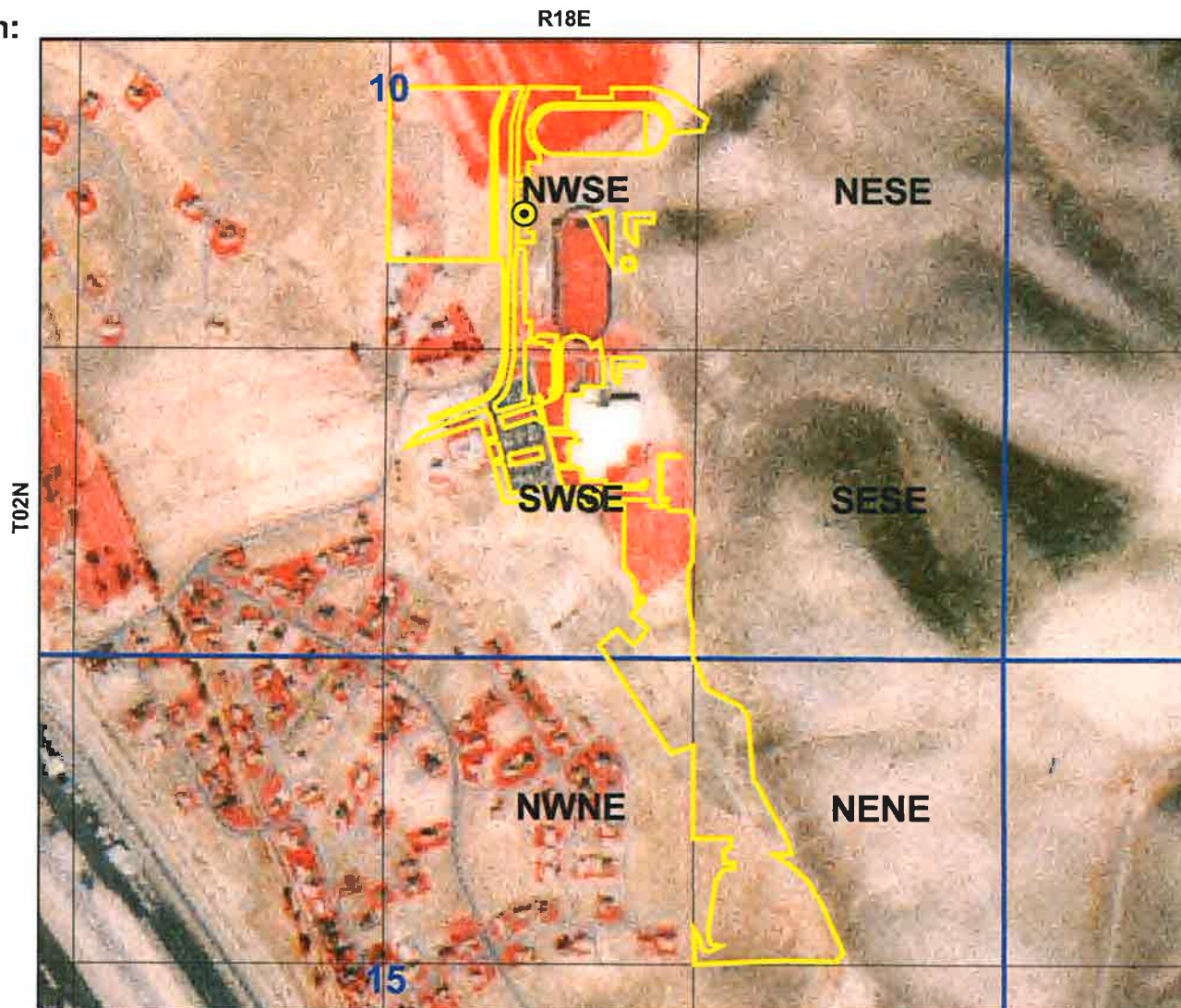
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.3 0.6 Miles



Prepared by E. NORQUES
On Tuesday, September 19, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

37-20903

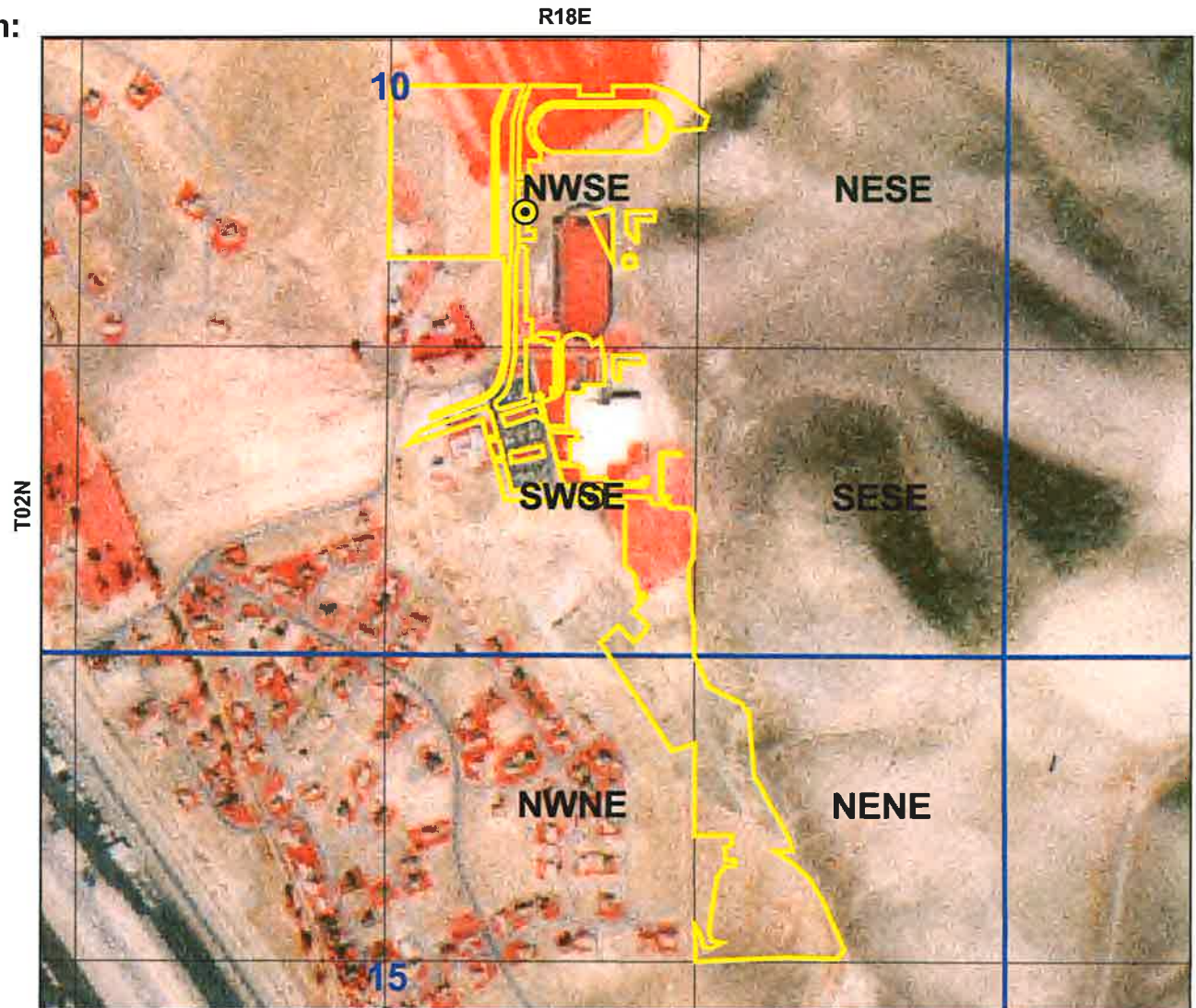
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
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-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.3 0.6 Miles



Prepared by E. NORQUES
On Tuesday, September 19, 2006
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70522

This is to certify that: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333
 (208)788-2296

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-2741	AJC/License	07/21/1966	2.20 cfs	372.0 af	N/A	124.0	GROUND WATER
37-8821	WR/License	05/24/1993	0.80 cfs	80.2 af	N/A	22.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2741	YES	NO	YES	YES	NO	NO
37-8821	NO	NO	YES	YES	NO	NO

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
37-2741	37-20903	0.19 cfs	31.8 af	10.6	33.5	37-20902	2.01 cfs	340.2 af	N/A	113.4
37-8821	37-8821	0.80 cfs	80.2 af	22.9	33.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.99 cfs	112.0 af	N/A	33.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19 day of June, 20 03

For  Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20902
As Modified by Transfer No. 70522

In accordance with the approval of Transfer No. 70522, Water Right No. 37-20902 is now described as follows.

Right Holder: QUIGLEY CANYON RANCH LLP
C/O STONEY BURKE
PO BOX 326
SUN VALLEY ID 83353

Priority Date: July 21, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.12 CFS	
IRRIGATION	04/01 to	11/01	2.01 CFS	340.2 AF
			2.01 CFS	340.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 10 Twp 02N Rge 18E BLAINE 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	
02N 18E 10	24.0	4.0	37.0	28.0											16.4	109.4	
02N 18E 11					1.0	3.0										4.0	

Total Acres: 113.4

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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. 37-20903
As Modified by Transfer No. 70522

In accordance with the approval of Transfer No. 70522, Water Right No. 37-20903 is now described as follows.

Right Holder: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333

Priority Date: July 21, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	06/01	to 10/01	0.19 CFS	31.8 AF
			0.19 CFS	31.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 10 Twp 02N Rge 18E BLAINE County

GROUND WATER NESWSE Sec. 10 Twp 02N Rge 18E BLAINE 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	
02N	18E	10													.1	14.2	7.9		22.2
02N	18E	15	9.2	2.1															11.3

Total Acres: 33.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.6 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.
3. 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. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 37-20903
As Modified by Transfer No. 70522

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 6/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. 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. 37-8821
As Modified by Transfer No. 70522

In accordance with the approval of Transfer No. 70522, Water Right No. 37-8821 is now described as follows.

Right Holder: BLAINE COUNTY SCHOOL DISTRICT #61
 118 W BULLION ST
 HAILEY ID 83333

Priority Date: May 24, 1993

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.80 CFS	80.2 AF
			0.80 CFS	80.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 10 Twp 02N Rge 18E BLAINE County

GROUND WATER NESWSE Sec. 10 Twp 02N Rge 18E BLAINE 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	
02N	18E	10													.1	14.2	7.9		22.2
02N	18E	15	9.2	2.1															11.3

Total Acres: 33.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22.9 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-8821 and 37-20903 shall not exceed 0.99 cfs, nor total combined annual volume of 112.0 af.
3. 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 licensing, this water right is within State Water District No. 37.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

WATER RIGHT NO. 37-8821
As Modified by Transfer No. 70522

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Use of water under this right may be affected by an agreement between the parties in connection with the original license.
7. The right holder shall mitigate for the diversion and use of water under this right in the following manner:
 - A. Diversion and use of water shall occur only at those times when water is available to fill Snake River Basin Adjudication Claim 37-21114 (a portion of Right 37-577).
 - B. The right holder shall maintain control of 0.60 cfs (23 acres) of Snake River Basin Adjudication Claim 37-21114 (or the decreed water right based on Claim 37-21114), which shall remain in the Big Wood River as mitigation for the diversion of ground water under this right.
 - C. In the event that Claim 37-21114 is not confirmed in the Snake River Basin Adjudication, the right holder shall provide an alternate source of mitigation water or shall cease diverting water under this right.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. 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