

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/18/2022

Water Right 37-26

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MATTHEW THORNTON PO BOX 751 BELLEVUE, ID 83313 (208) 788-1236
Original Owner	GEORGE ALLRED , ID
Previous Owner	WOOD RIVER LAND TRUST CO 119 E BULLION ST HAILEY, ID 83333-8770 (208) 788-3947
Previous Owner	H JEAN SLIGAR-SHAKSTAD 3550 E 4000 N KIMBERLY, ID 83341 (208) 420-0777
Previous Owner	MV PROPERTY LLC PO BOX 5 KETCHUM, ID 83340 (208) 720-1003
Previous Owner	J R J DEVELOPMENT CO PO BOX 471 TWIN FALLS, ID 83301 (208) 726-5161

Priority Date: 5/23/1885

Basis: Decreed

Status: Active

Source
BIG WOOD RIVER

Tributary
MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.183 CFS	
MITIGATION	04/15	10/31	0.137 CFS	
	<u>Total Diversion</u>		1.320 CFS	

Source and Point(s) of Diversion:

BIG WOOD RIVER NWNENE Sec. 19, Twp 01S, Rge 18E, BLAINE County

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Place Of Use:

MITIGATION Same as IRRIGATION

IRRIGATION within BLAINE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	17E	13																38.0	38.0
01S	17E	24	17.0																17.0
01S	18E	18											29.0 L4	26.0			17.0		72.0
01S	18E	19					18.0	26.0 L1											44.0

POU Total Acres: 171.0

Conditions of Approval:

1. C18 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.
2. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. B09 This right is subject to regulation by the watermaster of Water District 37.
4. Total rate of diversion includes 0.13 cfs charged for river channel loss. The right is limited to 1.19 cfs at the point of diversion.
5. Mitigation use is water charged for river channel loss.
6. E55 Right Nos. 37-26, 37-27, 37-23128, 37-23129, 37-23130 & 37-23131, 37-23348 & 37-23349, 37-23375 & 37-23376 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.
7. The actual total diversion rate is 1.32 cfs.

Comments:

1 tfawcett 12/1/2010 ownership
Most of the water right (but none of the land) has been sold to several parties. According to Fritz Haemmerle, attorney, the water will continue to be used on its current place of use. Ownership of the water right is as follows: MV Properties retains .045 cfs, Wood River Land Trust owns .1 cfs, Jeanie Sligar owns 70% of the remainder and Matthew Thornton owns the remaining 30%. Brent Brocksome and Zane Sterling hold a security interest in Matthew Thorntons portion of the right.

2 mvanbussum 3/2/2012 Ownership
Only Wood River Land Trust owns any of the water appurtenant to the property described by the water right. The other owners own water only and will need to remove their rights from the Water Supply Bank and transfer the water elsewhere to use it.

3 cpalmer 1/3/2014 Ownership
Pusuant to quit claim deeds submitted in 2012 % ownership is: Sligar = 2.765 cfs-irrigation, 0.307 cfs-

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3/18/2022

mitigation BLM = 0.1 cfs -irrigation, 0.011 cfs-mitigation Thornton = 1.185 cfs-irrigation, 0.132 cfs-mitigation

4 cwebster 2/5/2014 Ownership Change
Changed ownership to place all water rights under single contact record. Duplicate record was found when we received Order for Name Change

5 cwebster 10/1/2015 ownership
Corrected ownership to change MV Property to Previous owner

6 cwebster 10/13/2015 Water Supply Bank
Updated lease expiration date per request received 10/13/2015

7 Ownership 8/22/2018 Split Right
Change
Split into 37-26, 37-23128 and 37-23129 due to change in ownership.

8 jhersley 8/22/2018 ownership change
H Jean Sligar-Shakstad conveyed parts of her shares to Rain Mc Donald, 0.789 cfs irrigation, 0.088 cfs mitigation for a total of 0.877 cfs and to David Mc Donald, 0.789 cfs irrigation, 0.087 cfs mitigation for a total of 0.876 cfs. This reduces H Jean Sligar-Shakstads portion to 1.187 cfs irrigation, 0.132 mitigation for a total of 1.319 cfs.

9 jhersley 9/23/2021 Split Right
Split into 37-26 & 37-23348. This ownership change was submitted by the BLM in 2013 but wasn't split at the time. After additional review, it was determined the right should have been split. No refund was given. BLM no longer has any interest in this water right.

10 jhersley 3/18/2022 Split Right
Split into 37-26 & 37-23375 due to a change in ownership. H Jean Sligar-Shakstad conveyed her portion of the water right to the Jeannie Shakstad Irrevocable Trust. She want her portion split from the original. Her portion of this water right is 1.187 cfs for irrigation, 0.132 for mitigation for a total of 1.319 cfs.

Dates and Other Information:

Decreed Date: 9/24/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		171.0	37-26 ,37-27 ,37-23128 ,37-23129 ,37-23130 ,37-23131 ,37-23348 ,37-23349

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3/18/2022

SubCase:
N/A

Water Supply Bank:

Lease ID: 1443

Lease Type: Contract
Lease Status: Active
Lease Start Date: 1/1/2021
Lease End Date: 12/31/2025

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	2.37	0.00	0.00	171.00

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Water Right 37-26

3/4/2022

Before Split

<u>Owner Type</u>	<u>Name and Address</u>
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Priority Date: 5/23/1885

Basis: Decreed

Status: Active

Source

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

MITIGATION

From

04/15

To

10/31

Diversion Rate

2.370 CFS

0.269 CFS

Total Diversion

2.640 CFS

Volume

Source and Point(s) of Diversion:

BIG WOOD RIVER

NWNE

Sec. 19, Twp 01S, Rge 18E, BLAINE County

Place Of Use:

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Water Right 37-26

3/4/2022

MITIGATION Same as IRRIGATION

IRRIGATION within BLAINE County

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POU Total Acres: 171.0

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2. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
3. B09 This right is subject to regulation by the watermaster of Water District 37.
4. Total rate of diversion includes 0.26 cfs charged for river channel loss. The right is limited to 2.379 cfs at the point of diversion.
5. Mitigation use is water charged for river channel loss.
6. E55 Right Nos. 37-26, 37-27, 37-23128, 37-23129, 37-23130 & 37-23131, 37-23348 & 37-23349 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.
7. The actual total diversion rate is 2.639 cfs.

Comments:

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SubCase:

N/A

Water Supply Bank:

Lease ID: 1443

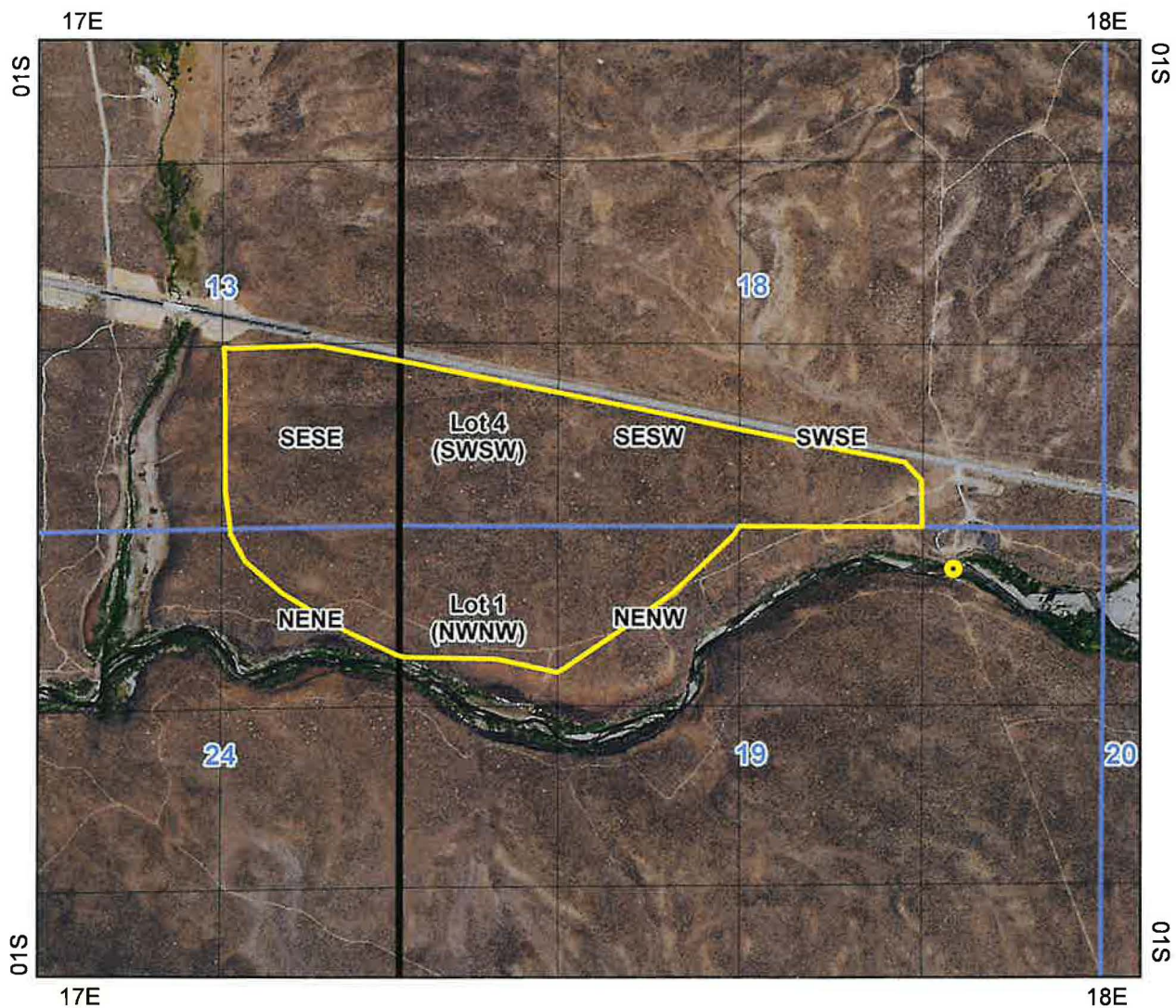
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Lease Type: Contract
Lease Status: Active
Lease Start Date: 1/1/2021
Lease End Date: 12/31/2025

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	2.37	0.00	0.00	171.00

State of Idaho
Department of Water Resources
Water Right License
37-26 & 37-27



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

0 0.15 0.3 0.6 Miles

