

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-20641
AFTER SPLIT

9/9/2021

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	PAUL L ARRINGTON BARKER ROSHOLT & SIMPSON LLP 163 2ND AVE W PO BOX 63 TWIN FALLS, ID 83303-0063 (208) 733-0700
Current Owner	BIG HAT LLC 112 PRICE LN BELLEVUE, ID 83313-5126 ssranchidahi@gmail.com
Original Owner	KERR PACIFIC CORP C/O ANDREW P KERR GILBERTSON BROWNSTEIN RASK 1200 SS MAIN BLDG PORTLAND, OR 97205 (503) 221-1772
Previous Owner	THOMAS M O GARA FAMILY TRUST C/O BRIAN BARSOTTI PO BOX 370 KETCHUM, ID 83340 (208) 726-3030
Security Interest	D L EVANS BANK PO BOX 87 TWIN FALLS, ID 83303-0087 (208) 736-9300

Priority Date: 7/10/1884
Basis: Decreed
Status: Active
Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.430 CFS	
	<u>Total Diversion</u>		0.430 CFS	

Source and Point(s) of Diversion
BIG WOOD RIVER L3(NESWNW) Sec. 36, Twp 02N, Rge 18E, BLAINE County

Place Of Use
IRRIGATION within BLAINE County

	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
01S	19E	8	15.0																15.0
01S	19E	9			5.0	9.0			13.0	6.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	361.0
01S	19E	10							21.0		40.0	40.0	40.0	40.0		40.0	40.0	40.0	301.0
01S	19E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0						40.0	37.0		357.0
01S	19E	16	41.0	40.0	40.0	41.0	40.0	39.0	40.0	40.0	41.0	41.0	38.0	38.0	41.0	41.0	38.0	38.0	637.0
01S	19E	17													41.0	40.0	37.0	38.0	156.0
01S	19E	20	40.0	20.0															60.0
01S	19E	21					40.0	40.0		41.0	40.0								161.0

Right Acre Limit: 15.0

POU Total Acres: 2,048.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 15 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, 37-20651, 37-23336, 37-23337, 37-23338, 37-23339, 37-23340, 37-23341, 37-23342, 37-23343 & 37-23344 when combined shall not exceed the irrigation of 885 acres.
3. X35 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, 37-20651, 37-23321, 37-23322, 37-23323, 37-23324, 37-23325, 37-23326, 37-23328, 37-23329, 37-23330, 37-23331, 37-23332, 37-23333, 37-23334, 37-23336, 37-23337, 37-23338, 37-23339, 37-23340, 37-23341, 37-23342, 37-23343 & 37-23344 when combined shall not exceed a total diversion rate of 53.88 cfs and the irrigation of 2028.7 acres.
4. X35 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-804, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, 37-20651, 37-23321, 37-23322, 37-23323, 37-23324, 37-23325, 37-23326, 37-23327, 37-23328, 37-23329, 37-23330, 37-23331, 37-23332, 37-23333, 37-23334, 37-23335, 37-23336, 37-23337, 37-23338, 37-23339, 37-23340, 37-23341, 37-23342, 37-23343 & 37-23344 when combined shall not exceed a total diversion rate of 55.70 cfs and the irrigation of 2119.9 acres.
5. 206 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-804, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, 37-20651, 37-23321, 37-23322, 37-23323, 37-23324, 37-23325, 37-23326, 37-23327, 37-23328, 37-23329, 37-23330, 37-23331, 37-23332, 37-23333, 37-23334, 37-23335, 37-23336, 37-23337, 37-23338, 37-23339, 37-23340, 37-23341, 37-23342, 37-23343 & 37-23344 are limited to the irrigation of a specific 2119.9 acres within the 3437.0 acre place of use authorized by these rights in a single irrigation season. The specific 2119.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 2119.9 acres to be irrigated within the 3437.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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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. 37.
7. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. G05 Water diverted from Headgate #45 delivered through District Canal.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 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.

Comments:

1. jroberts 10/7/2011 POD
Updated Shape
2. amerritt 6/5/2012 Transferred Right
This is now an approved transfer, transfer number = 76658
3. wmills 6/3/2014 POU
Updated Shape to reflect 2014 irrigation changes as required by condition 206
4. wmills 7/27/2015 Updated Shape
Updated POUShape
5. amerritt 9/29/2015 Transferred Right
This is now an approved transfer. Transfer Number = 80114
6. jhersley 9/8/2021 Split Right
Split into 37-20641 & 37-23339 due to change in ownership.
7. jhersley 9/8/2021 POU
Updated Shape

Dates and Other Information

Decreed Date: 6/29/2011

State or Federal: S

Water District Number: 37

Mitigation Plan: False

Combined Use Limits

IDAHO DEPARTMENT OF WATER RESOURCES
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AFTER SPLIT

9/9/2021

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
55.700		2,119.9
37-804 ,37-11830 ,37-2568 ,37-115F ,37-501B ,37-501C ,37-590B ,37-597B ,37-2502 ,37-577K		
,37-20635 ,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649		
,37-20651 ,37-2581 ,37-2599 ,37-2604 ,37-2616 ,37-7758 ,37-23321 ,37-23322 ,37-23323		
,37-23324 ,37-23325 ,37-23326 ,37-23327 ,37-23328 ,37-23329 ,37-23330 ,37-23331		
,37-23332 ,37-23333 ,37-23334 ,37-23335 ,37-23336 ,37-23337 ,37-23338 ,37-23339		
,37-23340 ,37-23341 ,37-23342 ,37-23343 ,37-23344		

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
53.880		2,028.7
37-2568 ,37-115F ,37-501B ,37-501C ,37-590B ,37-597B ,37-2502 ,37-577K ,37-20635		
,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649 ,37-20651		
,37-2581 ,37-2599 ,37-2604 ,37-2616 ,37-7758 ,37-23321 ,37-23322 ,37-23323 ,37-23324		
,37-23325 ,37-23326 ,37-23328 ,37-23329 ,37-23330 ,37-23331 ,37-23332 ,37-23333		
,37-23334 ,37-23336 ,37-23337 ,37-23338 ,37-23339 ,37-23340 ,37-23341 ,37-23342		
,37-23343 ,37-23344		

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		885.0
37-20635 ,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649		
,37-20651 ,37-23336 ,37-23337 ,37-23338 ,37-23339 ,37-23340 ,37-23341 ,37-23342		
,37-23343 ,37-23344		

SubCase:

N/A

Water Supply Bank:

Lessor Name:

Lease Status: Active

Lease Amount: .05

Rental Availability: None

Date Received: 5/8/2014

Lease Begin Date: 5/8/2014

Expiration Date: 12/31/2018

IDAHO DEPARTMENT OF WATER RESOURCES

4/12/2021

Water Right 37-20641

*Before split***Owner Type**

Attorney

Name and Address

PAUL L ARRINGTON
BARKER ROSHOLT & SIMPSON LLP
163 2ND AVE W
PO BOX 63
TWIN FALLS, ID 83303-0063
(208) 733-0700

Current Owner

THOMAS M O GARA FAMILY TRUST
C/O BRIAN BARSOTTI
PO BOX 370
KETCHUM, ID 83340
(208) 726-3030

Original Owner

KERR PACIFIC CORP
C/O ANDREW P KERR
GILBERTSON BROWNSTEIN RASK
1200 SS MAIN BLDG
PORTLAND, OR 97205
(503) 221-1772

Security Interest

D L EVANS BANK
PO BOX 87
TWIN FALLS, ID 83303-0087
(208) 736-9300

Priority Date: 7/10/1884**Basis:** Decreed**Status:** Active**Water Supply Bank Status:** Active**Source**

BIG WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From

04/01

To

11/01

Diversion Rate

0.960 CFS

Volume**Total Diversion**

0.960 CFS

Source and Point(s) of Diversion

BIG WOOD RIVER

L3(NESWNW)

Sec. 36, Twp 02N, Rge 18E, BLAINE County

Place Of Use

IRRIGATION within BLAINE 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	
01S	19E	3			6.0				16.0	15.0	40.0	40.0				31.0			148.0
					L2				L4										
01S	19E	4			17.0	16.0			18.0	18.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	389.0
					L2	L1			L4	L3									

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01S	19E	5			19.0	19.0									41.0	41.0	41.0	41.0	202.0
					L2	L1													
01S	19E	8	39.0	39.0							40.0	40.0	40.0	40.0		40.0	40.0	20.0	338.0
01S	19E	9	40.0	40.0	40.0	40.0	40.0	40.0	40.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	41.0	648.0
01S	19E	10			40.0				21.0		40.0	40.0	40.0	40.0		40.0	40.0	40.0	341.0
01S	19E	15	40.0	40.0	40.0		40.0	40.0	40.0	40.0						40.0	37.0		357.0
01S	19E	16	41.0	40.0	40.0	41.0	40.0	39.0	40.0	40.0	41.0	41.0	38.0	38.0	41.0	41.0	38.0	38.0	637.0
01S	19E	17													41.0	40.0	37.0	38.0	156.0
01S	19E	20	40.0	20.0															60.0
01S	19E	21					40.0	40.0		41.0	40.0								161.0

Right Acre Limit: 33.3

POU Total Acres: 3,437.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 33.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, and 37-20651 when combined shall not exceed the irrigation of 885 acres.
3. X35 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, and 37-20651 when combined shall not exceed a total diversion rate of 53.88 cfs and the irrigation of 2028.7 acres.
4. X35 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-804, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, and 37-20651 when combined shall not exceed a total diversion rate of 55.70 cfs and the irrigation of 2119.9 acres.
5. 206 Rights 37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B, 37-804, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604, 37-2616, 37-7758, 37-11830, 37-20635, 37-20637, 37-20639, 37-20641, 37-20643, 37-20645, 37-20647, 37-20649, and 37-20651 are limited to the irrigation of a specific 2119.9 acres within the 3437.0 acre place of use authorized by these rights in a single irrigation season. The specific 2119.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 2119.9 acres to be irrigated within the 3437.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. 37.
7. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
8. G05 Water diverted from Headgate #45 delivered through District Canal.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year

IDAHO DEPARTMENT OF WATER RESOURCES
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4/12/2021

- 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 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.

Comments:

1. jroberts 10/7/2011 POD
Updated Shape
2. ameritt 6/5/2012 Transferred Right
This is now an approved transfer, transfer number = 76658
3. wmills 6/3/2014 POU
Updated Shape to reflect 2014 irrigation changes as required by condition 206
4. wmills 7/27/2015 Updated Shape
Updated POUShape
5. ameritt 9/29/2015 Transferred Right
This is now an approved transfer. Transfer Number = 80114

Dates and Other Information

Decreed Date: 6/29/2011
 State or Federal: S
 Water District Number: 37
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
53.880		2,028.7
37-2568 ,37-115F ,37-501B ,37-501C ,37-590B ,37-597B ,37-2502 ,37-577K ,37-20635 ,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649 ,37-20651 ,37-2581 ,37-2599 ,37-2604 ,37-2616 ,37-7758		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		885.0
37-20635 ,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649 ,37-20651		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
55.700		2,119.9
37-804 ,37-11830 ,37-2568 ,37-115F ,37-501B ,37-501C ,37-590B ,37-597B ,37-2502 ,37-577K ,37-20635 ,37-20637 ,37-20639 ,37-20641 ,37-20643 ,37-20645 ,37-20647 ,37-20649 ,37-20651 ,37-2581 ,37-2599 ,37-2604 ,37-2616 ,37-7758		

SubCase:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-20641

4/12/2021

Water Supply Bank:

Lessor Name:

Lease Status: Active

Lease Amount: .05

Rental Availability: None

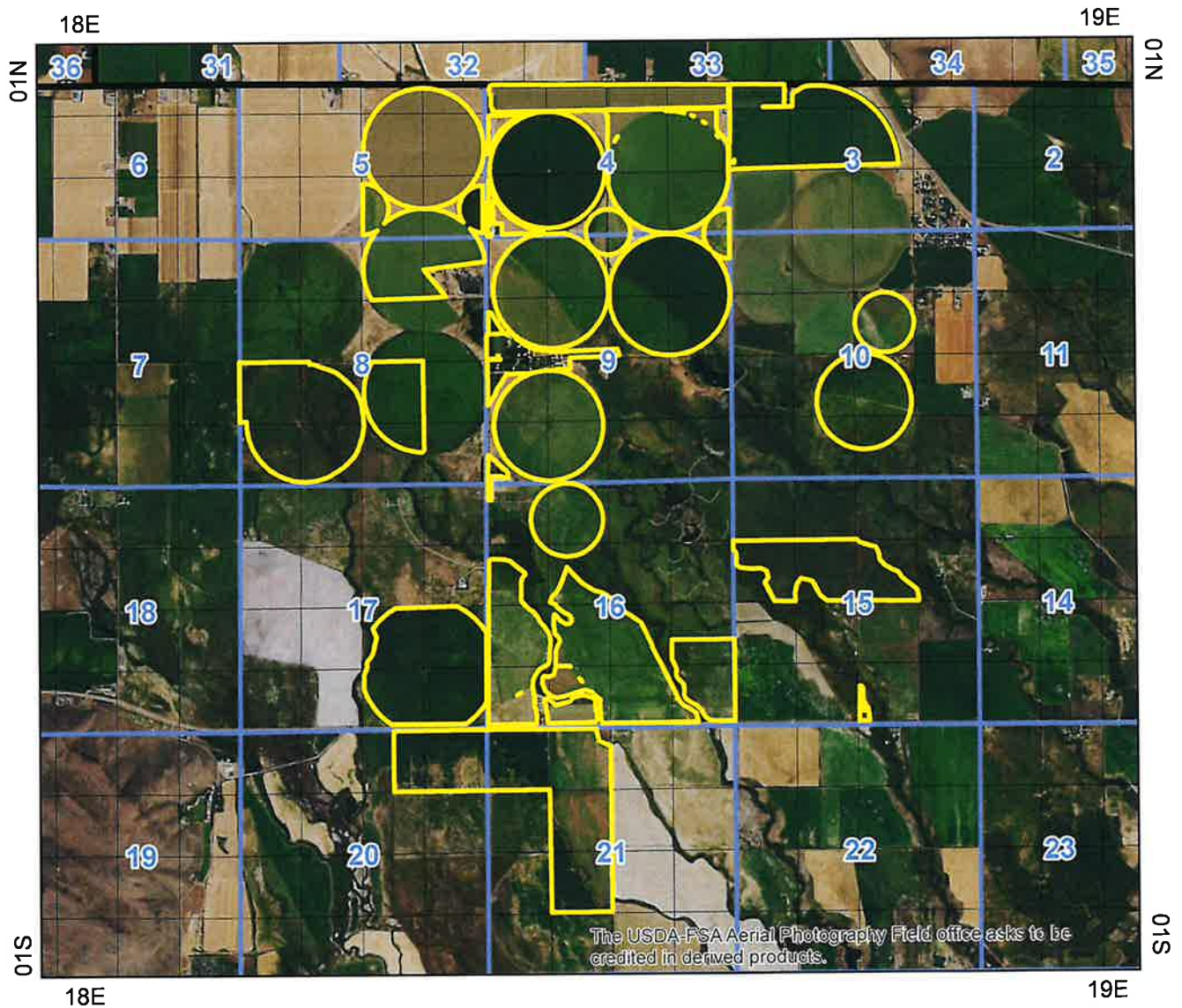
Date Received: 5/8/2014

Lease Begin Date: 5/8/2014

Expiration Date: 12/31/2018

State of Idaho
Department of Water Resources
Water Right License

37-115F, 37-501B, 37-501C, 37-577K, 37-590B, 37-597B,
37-804, 37-2502, 37-2568, 37-2581, 37-2599, 37-2604,
37-2616, 37-7758, 37-11830, 37-20635, 37-20637, 37-20639,
37-20641, 37-20643, 37-20645, 37-20647, 37-20649 & 37-20651



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.45 0.9 1.8 Miles

