

## IDAHO DEPARTMENT OF WATER RESOURCES

8/23/2018

Water Right 37-26

*After split*

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                                      |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | MATTHEW THORNTON<br>PO BOX 751<br>BELLEVUE, ID 83313<br>(208) 788-1236                                                                                       |
| Current Owner     | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI BUREAU OF LAND MANAGEMENT<br>ATTN FRED PRICE<br>1387 S VINNELL WAY<br>BOISE, ID 83709-1657<br>(208) 373-4000 |
| Current Owner     | H JEAN SLIGAR-SHAKSTAD<br>3550 E 4000 N<br>KIMBERLY, ID 83341<br>(208) 420-0777                                                                              |
| Original Owner    | GEORGE ALLRED<br>, ID                                                                                                                                        |
| Previous Owner    | J R J DEVELOPMENT CO<br>PO BOX 471<br>TWIN FALLS, ID 83301<br>(208) 726-5161                                                                                 |
| Previous Owner    | WOOD RIVER LAND TRUST CO<br>119 E BULLION ST<br>HAILEY, ID 83333<br>(208) 788-3947                                                                           |
| Previous Owner    | MV PROPERTY LLC<br>PO BOX 5<br>KETCHUM, ID 83340<br>(208) 720-1003                                                                                           |

**Priority Date:** 5/23/1885**Basis:** Decreed**Status:** Active**Water Supply Bank Status:** Active**Source**

BIG WOOD RIVER

**Tributary**

MALAD RIVER

**Beneficial Use**

IRRIGATION

MITIGATION

**From**

04/15

04/15

**To**

10/31

10/31

**Diversion Rate**

2.470 CFS

0.280 CFS

**Total Diversion**

2.750 CFS

**Volume****Source and Point(s) of Diversion**

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 37-26**

8/23/2018

BIG WOOD RIVER

NWNENE

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

**Place Of Use**

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<br>L4 | 26.0 |    |    | 17.0 |      | 72.0   |
| 01S | 18E | 19  |      |    |    |    | 18.0 | 26.0<br>L1 |    |    |    |    |            |      |    |    |      |      | 44.0   |

POU Total Acres: 171.0

MITIGATION Same as IRRIGATION

**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 0.275 cfs charged for river channel loss. The right is limited to 2.472 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 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.

**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:

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 37-26**

8/23/2018

Sligar = 2.765 cfs-irrigation, 0.307 cfs-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 Change 8/22/2018 Split Right  
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.

**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> |
|--------------|---------------|--------------|
| 37-26 ,37-27 |               | 171.0        |

**SubCase:**

N/A

**Water Supply Bank:**

Lessor Name: MV PROPERTY LLC  
Lease Status: Active  
Lease Amount: All  
Rental Availability: None  
Date Received: 5/8/2003  
Lease Begin Date: 5/8/2003

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 37-26**

8/23/2018

Expiration Date: 12/31/2020

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 37-26

6/19/2018

*Before Split*

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**Priority Date:** 5/23/1885

**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            | 04/15                         | 10/31     | 4.050 CFS             |               |
| MITIGATION            | 04/15                         | 10/31     | 0.450 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 4.500 CFS             |               |

**Source and Point(s) of Diversion**

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 37-26**

6/19/2018

BIG WOOD RIVER

NWNENE

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

**Place Of Use**

IRRIGATION within BLAINE County

| Twp | Rng | Sec | NE   |    |    |    | NW   |            |    |    | SW |    |            |      | SE |    |      |      | Totals |
|-----|-----|-----|------|----|----|----|------|------------|----|----|----|----|------------|------|----|----|------|------|--------|
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3. B09 This right is subject to regulation by the watermaster of Water District 37.
4. Total rate of diversion includes 0.45 cfs charged for river channel loss. The right is limited to 4.05 cfs at the point of diversion.
5. Mitigation use is water charged for river channel loss.
6. E55 Right Nos. 37-26 and 37-27 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.

**Comments:**

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**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 37-26**

6/19/2018

Sligar = 68%  
BLM = 2%  
Thornton = 30%

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|--------------|---------------|--------------|
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**SubCase:**

N/A

**Water Supply Bank:**

Lessor Name: MV PROPERTY LLC  
Lease Status: Active  
Lease Amount: All  
Rental Availability: None  
Date Received: 5/8/2003  
Lease Begin Date: 5/8/2003  
Expiration Date: 12/31/2020

