

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-21463

10/27/2017

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOVAS TRUST 681 NORANTE COURT PLEASANTON, CA 94566
Original Owner	NMS LEASING INC BANK OF HAWAII ATTN: MS KIM YOSHIMOTO 130 MERCHANT ST HONOLULU, HI 96802 (808) 538-4737
Previous Owner	REDSTONE PARTNERS LP 1188 EAGLE VISTA CT RENO, NV 89511 (775) 560-2228
Trustee	MICHAEL LOVAS 681 NORANTE COURT PLEASANTON, CA 94566

Priority Date: 4/1/1984

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.300 CFS	67.9 AF
	<u>Total Diversion</u>		0.300 CFS	67.9 AF

Source and Point(s) of Diversion

GROUND WATER	NENENW	Sec. 20, Twp 01N, Rge 19E, BLAINE County
GROUND WATER	NWSWNW	Sec. 17, Twp 01N, Rge 19E, BLAINE County
GROUND WATER	SWSENW	Sec. 28, Twp 01N, Rge 19E, 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	
01N	19E	17							3.0			21.0	40.0	9.0					73.0
01N	19E	20		0.5			30.0	40.0											70.5

Right Acre Limit: 19.4

POU Total Acres: 143.5

Conditions of Approval:

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1. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 143.5 acres in a single irrigation season.
4. K01 This right is an enlargement of Right 37-2625A, 37-2638 & 37-2700 pursuant to Section 42-1426, Idaho Code.
5. Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 143.5 acres in a single irrigation season.
6. 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.
7. X27 This right is limited to the irrigation of 19.4 acres within the place of use described above in a single irrigation season.
8. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. The rights listed below are limited to a total combined diversion rate of 0.8 cfs. Combined Right Nos.: 37-2625A and 37-21463.
11. E52 The rights listed below are limited to a total combined diversion rate of 2.2 cfs. Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463.
12. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
13. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 2.9 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 143.5 acres).
14. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed 502.3 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 143.5 acres).

Comments:

1. djones 8/19/2008 V2
Updated per proposed stipulation
2. Ownership Change 10/26/2017 Split Right
Split into 37-21463 and 37-23093

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3. jhersley 10/26/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 1/14/2009
Enlargement Statute Priority Date: 4/12/1994
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	502.3	
37-22155 ,37-481B ,37-482G ,37-483B ,37-665K ,37-666J ,37-667N ,37-2625A ,37-21463 ,37-2638 ,37-2700		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		143.5
37-481B ,37-482G ,37-483B ,37-665K ,37-666J ,37-667N ,37-2625A ,37-21463 ,37-2638 ,37-2700		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.800		
37-2625A ,37-21463		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		143.5
37-2625A ,37-21463 ,37-2638 ,37-2700		

SubCase:

SubCaseNumber: 37-21463
Class: 1
SF5 Filed Date: 9/11/2008
Special Master Recom Signed Date: 10/30/2008
Attorney Assigned:
Adjudication Agent: djones
Basis of Claim: Beneficial Use
Date Filed: 12/28/2007
Objection Status: Active

Water Supply Bank:

Lessor Name: REDSTONE PARTNERS LP
Lease Status: Active
Lease Amount: 57
Rental Availability: 57
Date Received: 4/30/2014
Lease Begin Date: 4/30/2014
Expiration Date: 12/31/2018

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Before Split

Owner Type **Name and Address**
 Current Owner LOVAS TRUST
 681 NORANTE COURT
 PLEASANTON, CA 94566

Original Owner NMS LEASING INC
 BANK OF HAWAII
 ATTN: MS KIM YOSHIMOTO
 130 MERCHANT ST
 HONOLULU, HI 96802
 (808) 538-4737

Previous Owner REDSTONE PARTNERS LP
 1188 EAGLE VISTA CT
 RENO, NV 89511
 (775) 560-2228

Trustee MICHAEL LOVAS
 681 NORANTE COURT
 PLEASANTON, CA 94566

Priority Date: 4/1/1984**Basis:** Decreed**Status:** Active**Water Supply Bank Status:** Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	2.950 CFS	679.0 AF
	<u>Total Diversion</u>		2.950 CFS	679.0 AF

Source and Point(s) of Diversion

GROUND WATER	NENENW	Sec. 20, Twp 01N, Rge 19E, BLAINE County
GROUND WATER	NWSWNW	Sec. 17, Twp 01N, Rge 19E, BLAINE County
GROUND WATER	SWSENW	Sec. 28, Twp 01N, Rge 19E, 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	
01N	19E	17			38.0				34.0	40.0	40.0	34.0	40.0	35.0	11.0	40.0	40.0	22.0	374.0
01N	19E	20	39.0	39.0	19.0	40.0	37.0	40.0							35.0	1.3		13.0	263.3
01N	19E	21						10.0	9.0			24.0	36.0	1.2					80.2
								L8	L9			L11		L12					
01N	19E	27	11.0	9.0	40.0	11.0			13.0	30.0	40.0	38.0	40.0	30.0	3.8	36.0	4.0		305.8
01N	19E	28			14.0	4.0	13.0	29.0	6.4	37.0	22.0			2.2	39.0	39.0	36.0	40.0	281.6

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01N	19E	33	40.0	14.0		30.0												84.0
01N	19E	34				0.2	31.0	15.0										46.2

Right Acre Limit: 194.0

POU Total Acres: 1,435.1

Conditions of Approval:

1. 104 If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.
4. K01 This right is an enlargement of Right 37-2625A, 37-2638 & 37-2700 pursuant to Section 42-1426, Idaho Code.
5. Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.
6. 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.
7. X27 This right is limited to the irrigation of 194 acres within the place of use described above in a single irrigation season.
8. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. The rights listed below are limited to a total combined diversion rate of 7.96 cfs.
Combined Right Nos.: 37-2625A and 37-21463.
11. E52 The rights listed below are limited to a total combined diversion rate of 21.85 cfs.
Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463.
12. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
13. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463, and 37-22155 shall not exceed a total instantaneous rate of 28.7 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1,435.1 acres).
14. Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638,

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37-2700, 37-21463, and 37-22155 shall not exceed 5,022.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1,435.1 acres).

Comments:

1. djones 8/19/2008 V2
Updated per proposed stipulation

Dates and Other Information

Decreed Date: 1/14/2009
Enlargement Statute Priority Date: 4/12/1994
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		143.5
37-481B ,37-482G ,37-483B ,37-665K ,37-666J ,37-667N ,37-2625A ,37-21463 ,37-2638 ,37-2700		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	5,022.9	
37-22155 ,37-481B ,37-482G ,37-483B ,37-665K ,37-666J ,37-667N ,37-2625A ,37-21463 ,37-2638 ,37-2700		

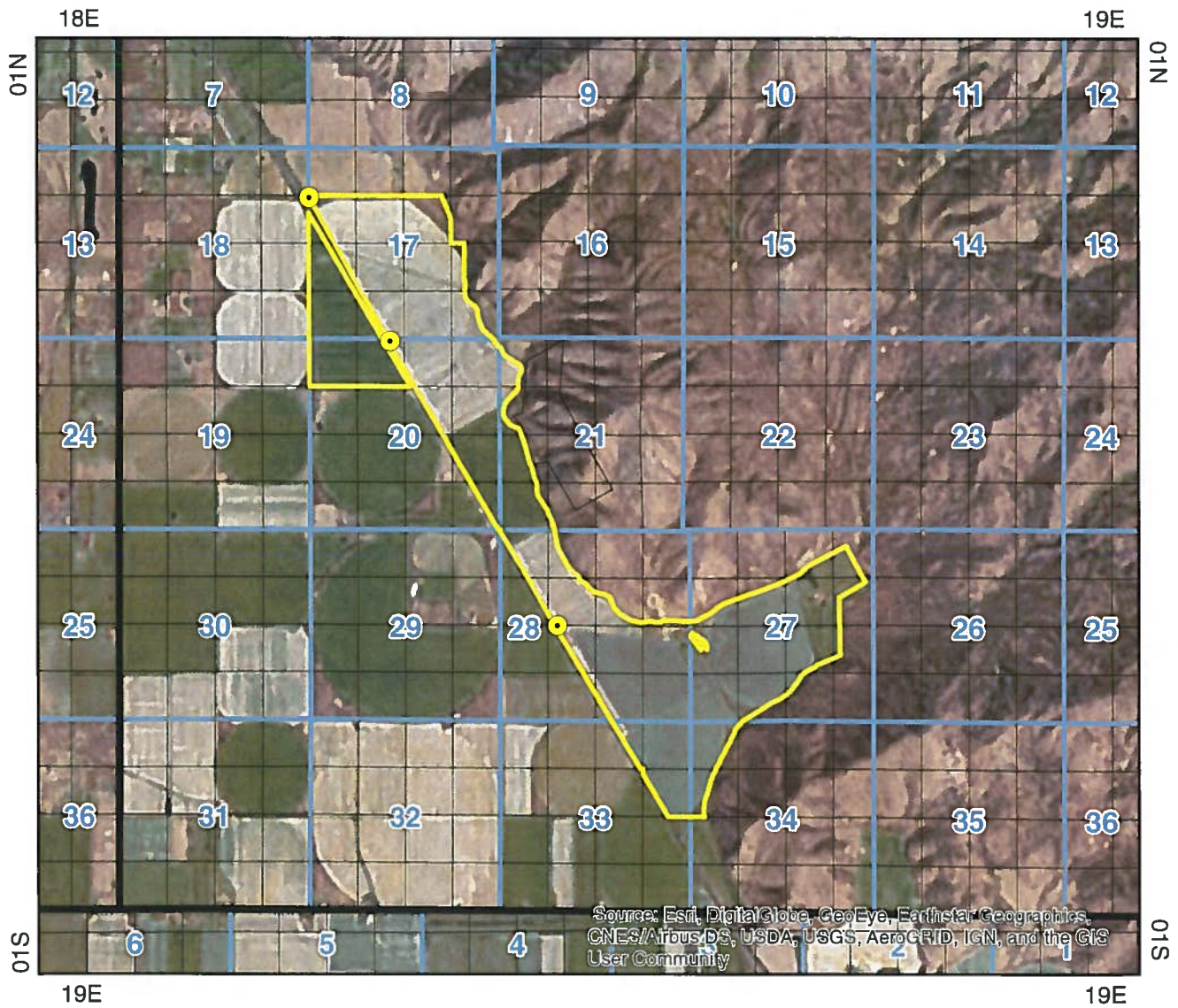
SubCase:

SubCaseNumber: 37-21463
Class: 1
SF5 Filed Date: 9/11/2008
Special Master Recom Signed Date: 10/30/2008
Attorney Assigned:
Adjudication Agent: djones
Basis of Claim: Beneficial Use
Date Filed: 12/28/2007
Objection Status: Active

Water Supply Bank:

Lessor Name: REDSTONE PARTNERS LP
Lease Status: Active
Lease Amount: 57
Rental Availability: 57
Date Received: 4/30/2014
Lease Begin Date: 4/30/2014
Expiration Date: 12/31/2018

State of Idaho
Department of Water Resources
Water Right License
37-2625A, 37-2638, 37-2700 and 37-21463



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

0 0.5 1 2 Miles

