

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/21/2017

Water Right 37-21418
WR Report AFTER Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Current Owner	ELKWOOD RIVER BENCH DEVELOPMENT CO LLC 214 WILLOW RD HAILEY, ID 83333
Original Owner	MYER BERLOW 214 WILLOW ZINC SPUR HAILEY, ID 83333 (208)578-0604
Original Owner	DEBORAH BARR 214 WILLOW ZINC SPUR HAILEY, ID 83333 (208)578-0604

Priority Date: 3/24/1883

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	0.270 CFS	
	<u>Total Diversion</u>		0.270 CFS	

Source and Point(s) of Diversion

BIG WOOD RIVER SESW Sec. 20, Twp 03N, 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	
03N	18E	29						8.7	6.1										14.8

POU Total Acres: 14.8

Conditions of Approval:

1. This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.
2. 115 Measuring devices of a type approved by this Department shall installed and

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- maintained at each point of diversion and point of rediversion.
3. R05 Use of water under these water rights will be regulated by the watermaster of State Water District No. 37.
 4. T07 The change authorized by Transfer 4171 shall be accomplished within one (1) year of the date of this transfer.
 5. T08 Failure to comply with the conditions of Transfer 4171 is cause for the Director to issue an order to show cause why the approval of the transfer should not be rescinded.
 6. WB4 The combined annual volume of water under right Nos. 37-21418 and 37-21420 shall not exceed 51.8 af.
 7. 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.

Comments:

1. Ownership Change 4/14/2017 Split Right
Split into 37-21418 and 37-23034
2. tfawcett 4/18/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 12/28/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 37
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Swan Falls Trust or Nontrust: T
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

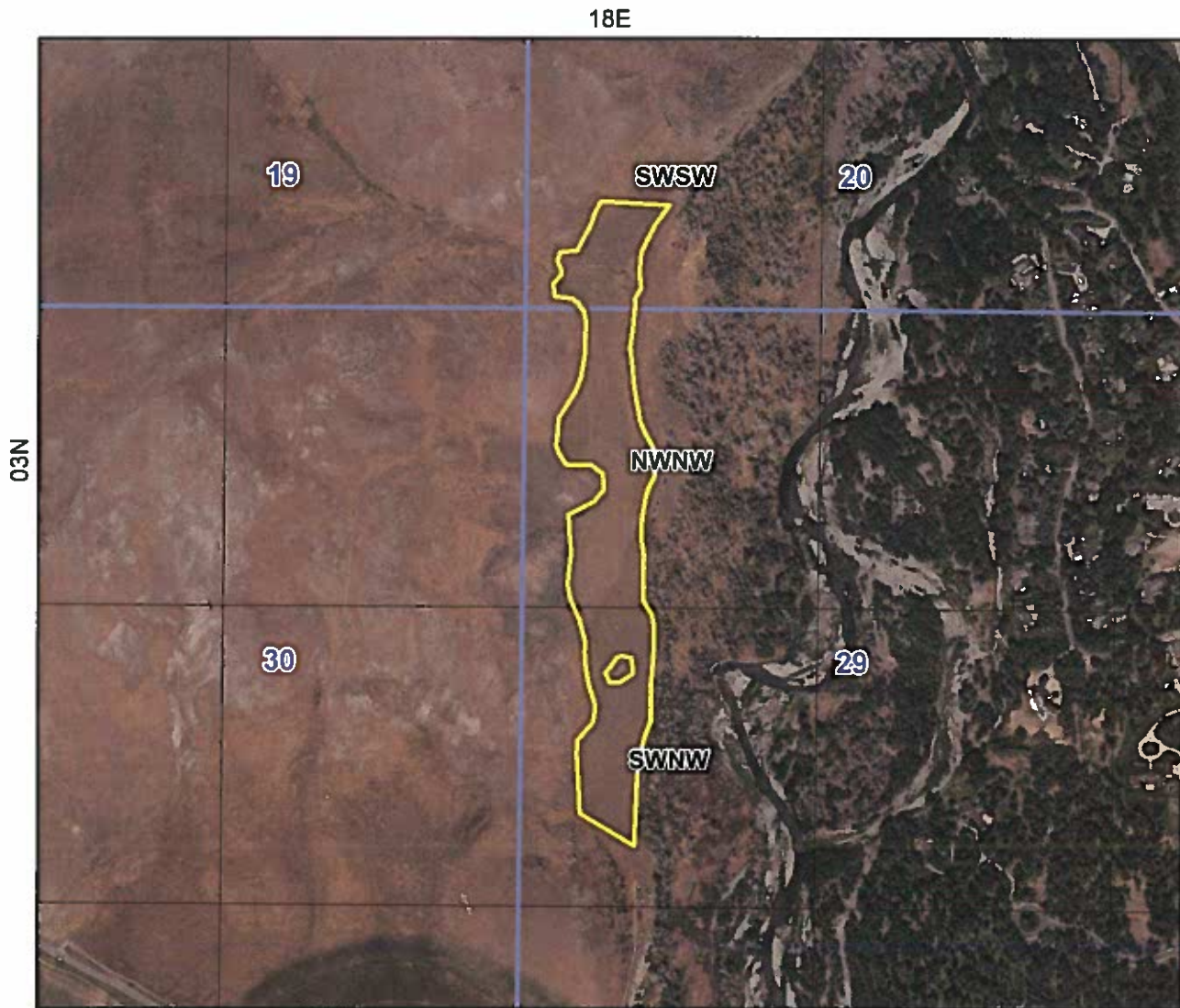
SubCaseNumber: 37-21418
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Cynthia Clark
Basis of Claim: Decreed
Date Filed: 10/26/2007
Objection Status: Active

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Rights 37-21418 & 21420
Map BEFORE Ownership Change Split



0 0.075 0.15 0.3 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections



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214 WILLOW ZINC SPUR
HAILEY, ID 83333
(208)578-0604

Current Owner DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY, ID 83333
(208)578-0604

Priority Date: 3/24/1883

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	0.330 CFS	
	<u>Total Diversion</u>		0.330 CFS	

Source and Point(s) of Diversion

BIG WOOD RIVER SESW Sec. 20, Twp 03N, 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	
03N	18E	20											3.2						3.2
03N	18E	29						8.7	6.1										14.8

POU Total Acres: 18.0

Conditions of Approval:

1. T07 The change authorized by Transfer 4171 shall be accomplished within one (1) year of the date of this transfer.
2. WB4 The combined annual volume of water under right Nos. 37-21418 and 37-21420 shall not exceed 63 af.
3. This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.
4. T08 Failure to comply with the conditions of Transfer 4171 is cause for the Director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 115 Measuring devices of a type approved by this Department shall installed and maintained at each point of diversion and point of rediversion.
6. C18 This partial decree is subject to such general provisions necessary for the definition of

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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. R05 Use of water under these water rights will be regulated by the watermaster of State Water District No. 37.

Comments:

Dates and Other Information

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Judicial District: FIFTH

State or Federal: S

Owner Name Connector: And

Water District Number: 37

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Swan Falls Trust or Nontrust: T

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A