

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/21/2017

Water Right 37-21419
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	0.020 CFS	3.5 AF
	<u>Total Diversion</u>		0.020 CFS	3.5 AF

Source and Point(s) of Diversion

BIG WOOD RIVER NENENW Sec. 29, 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					2.1												2.1

Right Acre Limit: 1.0

POU Total Acres: 2.1

Conditions of Approval:

1. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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.

3. 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.
4. 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.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. E60 Right Nos. 37-21419 and 37-21421 are limited to a total combined diversion rate of 0.04 cfs and to a total combined annual diversion volume of 3.5 AF.
8. E55 Right Nos. 37-21419 and 37-21421 are limited to the irrigation of a combined total of 1.0 acres in a single irrigation season.
9. This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.

Comments:

1. pskaggs 10/21/2005 Transferred Right
This is now a approved transfer, transfer number = 71769

2. Ownership Change 4/14/2017 Split Right
Split into 37-21419 and 37-23035

3. tfawcett 4/19/2017 POU
Updated Shape

4. tfawcett 4/19/2017 POD
Updated Shape

Dates and Other Information

Decreed Date: 5/20/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: And

Water District Number: 37

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

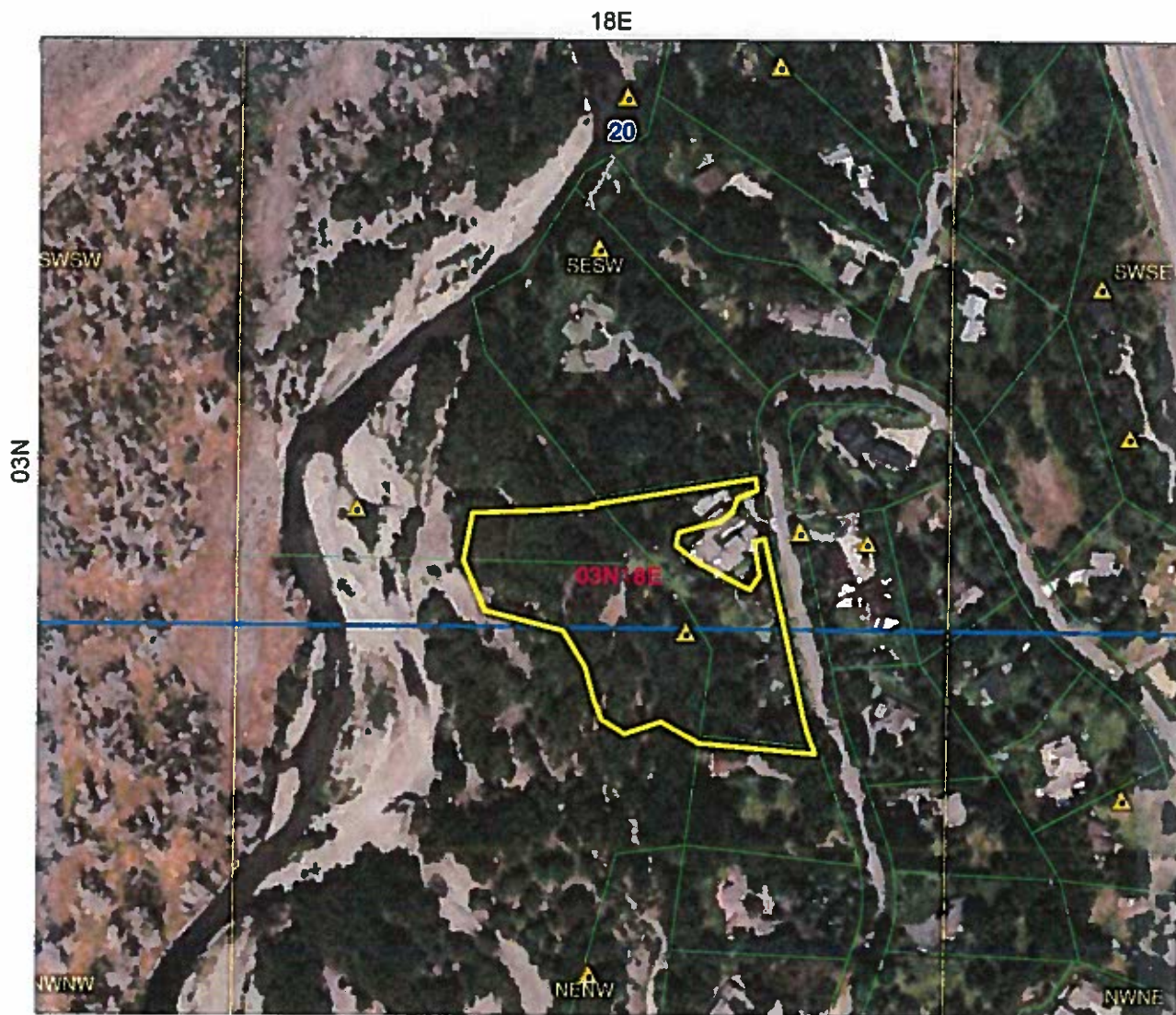
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Rights 37-21419 & 21421

Map BEFORE Ownership Change Split



0 0.075 0.15 0.3 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections



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Owner Type **Name and Address**
Current Owner MYER BERLOW
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	0.040 CFS	7.0 AF
	<u>Total Diversion</u>		0.040 CFS	7.0 AF

Source and Point(s) of Diversion

BIG WOOD RIVER NENENW Sec. 29, 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	20												2.2					2.2
03N	18E	29					2.1												2.1

Right Acre Limit: 2.0

POU Total Acres: 4.3

Conditions of Approval:

1. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. 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.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the

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5. T07 Director to rescind approval of the transfer.
The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. E60 Right Nos. 37-21419 and 37-21421 are limited to a total combined diversion rate of 0.08 cfs and to a total combined annual diversion volume of 7.0 AF.
8. E55 Right Nos. 37-21419 and 37-21421 are limited to the irrigation of a combined total of 2.0 acres in a single irrigation season.
9. This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.

Comments:

1. pskaggs 10/21/2005 Transferred Right
This is now a approved transfer, transfer number = 71769

Dates and Other Information

Decreed Date: 5/20/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 37
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.080	7.0	2.0
37-21419 ,37-21421		

SubCase:

N/A

Water Supply Bank:

N/A