

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 37-22354

Amended**Amended****PRIORITY:** April 18, 2012

Maximum Diversion Rate: 0.74 CFS
Maximum Diversion Volume: 540.1 AF

It is hereby certified that:

JUDE P & JULIA MANDEVILLE DAMASCO TRUST PO BOX 4589 HAILEY ID 83333

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 27, 2007, and has submitted Proof of Beneficial Use on October 30, 2014. An examination confirms water is diverted from:

SOURCE:
INDIAN CREEK

TRIBUTARY:
BIG WOOD RIVER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
AESTHETIC	01/01 to 12/31	0.74 CFS	475.0 AF
WILDLIFE	01/01 to 12/31	0.74 CFS	475.0 AF
RECREATION	01/01 to 12/31	0.74 CFS	475.0 AF
RECREATION STORAGE	01/01 to 12/31		65.1 AF
WILDLIFE STORAGE	01/01 to 12/31		65.1 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		65.1 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.74 CFS	
AESTHETIC STORAGE	01/01 to 12/31		65.1 AF

LOCATION OF POINT(S) OF DIVERSION:INDIAN CREEK NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp 03N, Rge 18E, B.M. BLAINE County

PLACE OF USE: AESTHETIC, AESTHETIC STORAGE, WILDLIFE, WILDLIFE STORAGE,
RECREATION, RECREATION STORAGE, AND FIRE PROTECTION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4					X L 3												
03N	18E	33												X					

CONDITIONS OF APPROVAL

1. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 3.8 acre-feet or a total surface area of 0.95 acre.
3. This right does not grant any right-of-way or easement across the land of another.
4. Place of use is located within Lots 4, 5, and 6, Blk. 1; Buckhorn Subdivision.

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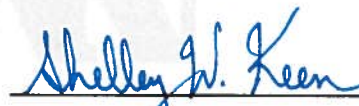
Amended

Amended

5. 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.
6. Right 37-22354 authorizes the diversion of 3.8 acre-feet to be used for the initial filling of the pond and 61.3 acre-feet for losses due to seepage for a total storage volume of 65.1 acre-feet. Rights 37-297D and 37-20359 provide an additional annual total of 1.3 acre-feet for evaporation losses. When water rights 37-297D, 37-20359, and 37-22354 are combined, the total annual storage volume allowed is 66.4 acre-feet.
7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
8. 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 where water is diverted from the Hiawatha Canal for conveyance to the pond.
9. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works at the mouth of Indian Creek where water from Indian Creek discharges into the Hiawatha Canal or at the location of discharge from the pond or both.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 5th day of October, 2016.



SHELLEY W. KEEN
Water Rights Section Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 5, 2016

JUDE P & JULIA MANDEVILLE DAMASCO TRUST
PO BOX 4589
HAILEY ID 83333

RE: Water Right License No. 37-22354

Dear Water Right Holder(s):

The Department of Water Resources has enclosed a revised water right license to correct a typographical error in approval condition no. 6. The original license stated the total storage volume as 61.5 AF and the combined storage volume as 62.8 AF. The correct storage volume is 65.1 AF, making the correct combined storage volume 66.4 AF. Brockway Engineering PLLC reported the error.

If you have any questions, please call me at 208-287-4947, or email me at shelley.keen@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Shelley W. Keen".

Shelley W. Keen, Manager
Water Rights Section

Enclosure

cc: James P. Speck
Brockway Engineering PLLC
Water District 37

CERTIFICATE OF SERVICE

I hereby certify that on **October 06, 2016** I mailed a true and correct copy, postage prepaid, of the foregoing Amended License to the person(s) listed below:

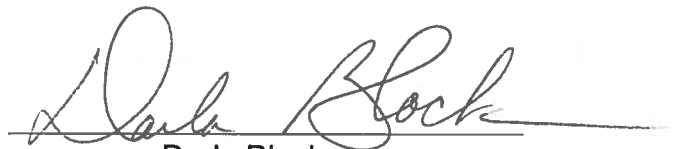
RE: Amended Water Right License No. **37-22354**

**JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340**

**BROCKWAY ENGINEERING PLLC
C/O CHARLES E BROCKWAY
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301**

**JUDE P & JULIA MANDEVILLE DAMASCO TRUST
PO BOX 4589
HAILEY ID 83333**

**WATER DISTRICT #37
KEVIN D LAKEY
107 W 1ST
SHOSHONE ID 83352**

A handwritten signature in black ink, reading "Darla Block", written over a horizontal line.

Darla Block
Technical Records Specialist

Keen, Shelley

From: Keen, Shelley
Sent: Tuesday, October 04, 2016 3:14 PM
To: 'Charles E. Brockway'
Subject: RE: Likely clerical error in Water Right 37-22354

Chuck,

Thanks for the note. We will review the license record.

Shelley

Shelley Keen
Water Rights Section Manager
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

From: Charles E. Brockway [<mailto:charles.e.brockway@brockwayeng.com>]
Sent: Tuesday, October 04, 2016 3:09 PM
To: Keen, Shelley
Cc: 'Jim Speck'; 'Julia Damasco'; Skinner, Corey
Subject: Likely clerical error in Water Right 37-22354

Shelly: A review of the IDWR data base for Water Right 37-22354 for Julia and Jude Damasco indicates that there is an error in the license. The storage volumes listed in Condition 5 show 61.5 AFA which should be 65.1 AFA. It appears that this is a typo and should be changed. I discussed this with Corey Skinner relative to the procedure to follow to get the error corrected and he deferred to you since the license was prepared in Boise. This error also results in an error in the total annual storage volume which should be 66.4AFA instead of 62.8 AFA.

What is the procedure to get this changed? It would appear that a simple clerical change should suffice. Please let me know.

Chuck

Charles E. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.