

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

6/27/2016

**Water Right 37-23001**

**Owner Type**      **Name and Address**  
Current Owner      DOUGLAS B FENN  
105 MOUNTAIN VIEW LN  
HAILEY, ID 83333  
(208) 788-1680

Current Owner      NANCY W FENN  
105 MOUNTAIN VIEW LN  
HAILEY, ID 83333  
(208) 788-1680

**Priority Date:** 5/1/1883

**Basis:** Decreed

**Status:** Active

**Source**  
BIG WOOD RIVER

**Tributary**  
MALAD RIVER

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 04/15                         | 10/31            | 0.400 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.400 CFS                    |                      |

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

|                |      |                                         |
|----------------|------|-----------------------------------------|
| BIG WOOD RIVER | SWNE | Sec. 5, Twp 02N, Rge 18E, BLAINE County |
| BIG WOOD RIVER | SENE | Sec. 5, Twp 02N, 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  |        |
| 02N | 18E | 4   |    |    |    |    |    |    |    |    |    |    | 5.0 |    |    |    |    |     | 5.0    |
| 02N | 18E | 5   |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    | 4.0 | 4.0    |

POU Total Acres: 9.0

**Conditions of Approval:**

1. This right shall provide no more than 0.03 cfs per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
2. R43 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(s).
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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

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6. 004 approval, this water right is within State Water District No. 37.  
7. T19 This right does not grant any right-of-way or easement across the land of another.  
Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Comments:**

1. tfawcett 3/24/2016 split right  
This right was split from 37-22255 pursuant to an ownership change.
2. tfawcett 3/24/2016 POU  
Updated Shape
3. tfawcett 3/24/2016 POU  
Updated PLS
4. tfawcett 6/27/2016 POU correction  
Corrected the POU from 9.1 acres to 9.0 acres and the diversion rate from .41 cfs to .40 cfs

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A