

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-22771

WATER RIGHT NUMBER: 37-22771

| <u>Owner Type</u> | <u>Name and Address</u>                                                                          |
|-------------------|--------------------------------------------------------------------------------------------------|
| Current Owner     | BLACK BUTTE HILLS LLC<br>C/O GREGORY VIK<br>PO BOX 1607<br>BELLEVUE, WA 98009<br>(425) 460-2542  |
| Original Owner    | SOUTH COVE VENTURES LLC<br>C/O GREGORY VIK<br>PO BOX 1607<br>BELLEVUE, WA 98009<br>(425)460-2542 |
| Attorney          | SPECK & AANESTAD<br>JAMES P SPECK<br>PO BOX 987<br>KETCHUM, ID 83340<br>(208)726-4421            |

Priority Date: 10/30/1974

Basis: Decreed

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>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 05/01 to 10/01          | 9.540 CFS             | 2,361.00 AF          |
|                       | <u>Total Diversion:</u> | 9.540 CFS             | 2,361.00 AF          |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | SW1/4NW1/4 | Sec. 1, Twp 02S, Rge 17E, B.M.  |
| BLAINE County |            |                                 |
| GROUND WATER  | SW1/4SE1/4 | Sec. 11, Twp 02S, Rge 17E, B.M. |
| CAMAS County  |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |    |     |      | SW |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|----|-----|------|----|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW | SW  | SE   | NE | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 02S | 17E | 1   |      |      |      |      |      |    | 9.0 |      |    | 34.0 | 39.0 |      |      |      |      |      | 82.0   |
| 02S | 17E | 2   |      |      |      | .4   |      |    |     |      |    | 1.5  | 30.0 | 33.0 | 3.1  | 37.0 | 40.0 |      | 145.0  |
| 02S | 17E | 11  | 40.0 | 34.0 | 28.0 | 33.0 | 34.0 |    |     | 15.0 |    |      |      |      | 20.0 | 12.0 | 19.0 | 27.0 | 262.0  |

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|            |      |      |      |      |      |      |      |      |      |      |       |
|------------|------|------|------|------|------|------|------|------|------|------|-------|
| 02S 17E 12 | 20.0 | 19.0 | 40.0 | 40.0 | 38.0 | 38.0 | 40.0 | 28.0 | 11.0 | 24.0 | 298.0 |
|------------|------|------|------|------|------|------|------|------|------|------|-------|

Total Acres: 787

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 787 acres in a single irrigation season. Combined Right Nos.: 37-2211, 37-11989, 37-22771.
2. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
3. 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.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. R67 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:Comments:

1. Renumber 8/16/2012 3:39:36 PM Renumber WR 37-22771  
Comment: This has been renumbered from 37-20556
2. amerritt 8/16/2012 Re-combined  
Comment: 37-22771 is a recombination of rights 37-20556, 37-20563 and 37-20568.
3. amerritt 8/16/2012 3:48:28 PM POU  
Comment: Updated Shape
4. amerritt 8/16/2012 3:53:41 PM POD  
Comment: Updated Shape
5. amerritt 8/16/2012 3:55:18 PM POD  
Comment: Updated Shape

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Dates and Other Information:

Licensed Date:  
Decreed Date: 2/3/2010  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number: 39576  
Judicial District: FIFTH  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|             |               | 787          |

Combined Water Rights: 37-11989 , 37-2211 , 37-22771

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

Water Supply Bank: