

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-22586

WATER RIGHT NUMBER: 37-22586

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	ADAM IFLAND , ID
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Original Owner	FRED W FATOR , ID
Original Owner	PATRICIA G MILLINGTON 1995 REVOCABLE TRUST PO BOX 707 PICABO, ID 83348 (208)788-3171
Trustee	PATRICIA G MILLINGTON PO BOX 707 PICABO, ID 83348 (208)788-3171
Attorney	ROBERTSON HEPWORTH SLETTE WORST & STOVER PLLC PO BOX 1906 TWIN FALLS, ID 83303-1906 (208)734-0700
Current Owner	SCI PROPERTIES LLC C/O FREMONT PROPERTIES INC ATTN J MARCUS BOMAN 199 FREMONT ST STE 2400 SAN FRANCISCO, CA 94105 (415)284-8704

Priority Date: 03/29/1979

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	04/01 to 11/01	5.600 CFS	1,200.00 AF
	<u>Total Diversion:</u>	5.600 CFS	1,200.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 20, Twp 01S, Rge 20E, B.M.
BLAINE County	(Injection)	

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GROUND WATER	SW1/4NE1/4NW1/4	Sec. 20, Twp 01S, Rge 20E, B.M.
BLAINE County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 26, Twp 01S, Rge 20E, B.M.
BLAINE County	(Rediversion)	
GROUND WATER	NE1/4NE1/4NE1/4	Sec. 35, Twp 01S, Rge 20E, B.M.
BLAINE County	(Rediversion)	
GROUND WATER	SW1/4NW1/4NW1/4	Sec. 36, Twp 01S, Rge 20E, B.M.
BLAINE County	(Rediversion)	
GROUND WATER	SW1/4SE1/4NW1/4	Sec. 36, Twp 01S, Rge 20E, B.M.
BLAINE County	(Rediversion)	
GROUND WATER	L3 (NW1/4NE1/4NW1/4)	Sec. 1, Twp 02S, Rge 20E, B.M.
BLAINE County	(Rediversion)	

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	
01S	20E	26															23.4	11.6	35.0
01S	20E	35	19.1	3.2		1.9													24.2
01S	20E	36	.3	5.1	35.1	13.5	27.7	29.5	18.7	33.4			10.1						173.4
02S	20E	1					5.1	34.6	35.9	15.7									91.3
							L 3	L 4											
02S	20E	2	42.7			33.4													76.1
			L 1			L 5													

Total Acres: 400

Conditions of Approval:

- 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
- F05 Right No. 37-2739 is also diverted through point of diversion described above.
- 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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4. 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. 37M.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 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 diversions.
7. T19 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.
8. Rights 37-22583, 37-22584, 37-22585 and 37-22586 when combined shall not exceed a total annual maximum diversion volume of 1298 af at the field headgate, and the irrigation of 400 acres.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. U42 Place of use does not include federal public lands.
12. X56 The portion of Right 37-22586 used for conveyance losses is 0.56 cfs.
13. 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.

Remarks:Comments:

1. amerritt 12/15/2010 3:20:09 PM POU
Comment: Updated Shape

2. amerritt 12/15/2010 3:34:10 PM POU
Comment: Updated Shape

3. amerritt 12/15/2010 3:37:11 PM POU
Comment: Updated Shape

4. amerritt 12/15/2010 3:44:51 PM POU
Comment: Updated Shape

5. amerritt 1/13/2011 4:35:46 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 76754

6. amerritt 8/25/2011 mitigation removed
Comment: Permit 37-21352 relinquished, mitigation requirement removed and irrigation use resumed. See order.

7. amerritt 8/25/2011 1:57:22 PM POU
Comment: Updated Shape

8. amerritt 8/25/2011 3:09:40 PM POU
Comment: Updated Shape

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Dates and Other Information:

Licensed Date:
Decreed Date: 11/12/2009
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 37M
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>
	1298	400

Combined Water Rights: 37-22583 , 37-22584 , 37-22585 , 37-22586

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	1298	400

Combined Water Rights: 37-22583 , 37-22584 , 37-22585 , 37-22586