

Water Right Report 37-1162

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CAREY VALLEY RESERVOIR CO C/O ELWIN COATES PO BOX 86 CAREY, ID 83320 (208)823-4454
Current Owner	FISH CREEK RESERVOIR CO INC PO BOX 282 CAREY, ID 83320 (208) 823-4692
Attorney	ROBERT E WILLIAMS, ATTORNEY 153 E MAIN ST PO BOX 168 JEROME, ID 83338 (208)324-2303

Status: Active

LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01	to 12/31		5,515.00 AF
IRRIGATION FROM STORAGE	04/15	to 10/31		5,515.00 AF
MITIGATION	01/01	to 12/31		8,896.00 AF
	Total Diversion:			14,411.00 AF

FISH CREEK SW1/4NW1/4NW1/4 Sec. 15, Twp 01N, Rge 22E, B.M.
BLAINE County

IRRIGATION FROM STORAGE

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	22E	1						X L 4	X	X	X	X	X			X			
01N	22E	2	X L 1			X								X	X		X	X	
01N	22E	3						X		X	X	X	X						

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1162

01N 22E 4		X														
		L 1														
01N 22E 11		X	X		X	X	X		X	X						
01N 22E 12					X											
01N 22E 27			X										X	X	X	
01N 22E 32													X	X	X	
01N 22E 33									X	X	X				X	
01N 22E 34			X						X	X	X				X	
01S 21E 10															X	
01S 21E 11			X						X		X		X	X	X	
01S 21E 12		X			X	X			X				X	X	X	
01S 21E 13		X	X		X	X	X		X	X	X		X	X	X	
01S 21E 14		X	X		X	X							X	X		
01S 21E 15		X														
01S 21E 24		X	X		X	X	X									
01S 22E 2									X				X	X		
									L 3				L 2			
01S 22E 3						X				X	X			X	X	
						L 4				L 4						
01S 22E 4			X		X	X			X	X	X		X	X	X	
			L 2		L 1				L 4	L 3	L 3		L 1	L 2		
01S 22E 5			X		X				X	X			X	X	X	
			L 2		L 1				L 3	L 3			L 1	L 2		
01S 22E 6											X				X	
											L 5					
01S 22E 7		X	X		X	X	X		X	X	X		X	X	X	
					L 1	L 2				L 3	L 4					

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1162

01S 22E 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X			
01S 22E 9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
01S 22E 10		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
01S 22E 15		X	X		X	X		X	X		X			X			
01S 22E 16									X	X	X	X	X	X	X	X	X
01S 22E 17			X	X		X	X	X	X	X	X	X	X	X	X	X	X
01S 22E 18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
						L 1	L 2			L 3	L 4						
01S 22E 19	X	X			X	X											
	L 1	L 2			L 3	L 4											
01S 22E 20		X			X	X											
		L 2			L 3	L 4											
01S 22E 21	X																
	L 1																
01S 22E 22						X											
						L 4											
02N 22E 12													X			X	
02N 22E 13	X			X									X		X	X	
02N 22E 24	X		X					X	X					X	X		
02N 22E 25		X	X	X	X			X	X		X	X	X	X	X	X	X
02N 22E 26																X	
02N 22E 27										X	X						
02N 22E 33													X	X		X	
																L 1	
02N 22E 35	X			X									X			X	
																L 1	
02N 22E 36					X		X	X		X							

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1162

02N 23E 6		X					
02N 23E 7				X			
				L 3			
02N 23E 18				X	X		
				L 3	L 4		
03N 23E 32			X			X	

Total Acres: 8066.3

MITIGATION same as IRRIGATION FROM STORAGEConditions of Approval:

1. 193 This right mitigates for the depletion of water resulting from the diversion and use of water under Right 37-22599. To prevent injury to other water right holders, the right holder shall cease storing and using 8896 acre feet of this right from Fish Creek. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Right 37-22599 that are being mitigated shall be reduced by the same proportion as the reduction to this right.
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. E53 Right Nos. 37-1162 and 37-14273 are limited to a total combined annual diversion volume of 14411 AF.
4. Some of the lands served by the company above the reservoir receive water in exchange with natural flow water. This exchange will be measured and distributed by the watermaster to assure no injury to users upstream or downstream of the reservoir.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
6. Place of Use is within Blaine County, and is on land irrigated by shareholders of the Fish Creek Reservoir Co Inc.

Remarks:Comments:

1. amerritt 3/19/2012 mitigation use
Comment: Added pursuant to approval of permit 37-22599.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-1162

Dates and Other Information:

Licensed Date:
Decreed Date: 11/30/2010
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 37U
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>
	14411	8066.3

Combined Water Rights: 37-1162

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	14411	8066.3

Combined Water Rights: 37-1162

Water Supply Bank: