

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21511 V1

WATER RIGHT NUMBER: 37-21511 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BELLEVUE FARMS LANDOWNERS ASSN PO BOX 774 BELLEVUE, ID 83313
Previous Owner	MICHAEL MC LAUGHLIN PO BOX 2137 HAILEY, ID 83333 (208)788-6155
Previous Owner	MARY E MC LAUGHLIN PO BOX 2137 HAILEY, ID 83333 (208)788-6155
Attorney	JAMES P SPECK SPECK & AANESTAD PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Directors Report Owner	GARY G FRUGARD PO BOX 346 BELLEVUE, ID 83313-0346 (208) 788-0855
Directors Report Owner	JUDITH S FRUGARD PO BOX 346 BELLEVUE, ID 83313-0346 (208) 788-0855
Current Owner	GARY AND JUDITH FRUGARD TRUST PO BOX 346 BELLEVUE, ID 83313

Priority Date: 09/25/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.100 CFS	17.50 AF
	<u>Total Diversion:</u>	0.100 CFS	17.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4NW1/4	Sec. 18, Twp 01N, Rge 19E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	

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	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 19E 18					5.0												5.0

Total Acres: 5

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. 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.
4. 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.
5. X59 Point of diversion is located within Lot 6, Blk. 2, Bellevue Farms Subdivision.
6. X35 Rights 37-21511, 37-21515, 37-21526, 37-21537, 37-21548 and 37-21559 when combined shall not exceed the irrigation of 5 acres.
7. X60 Place of use is located within Lot 6, Blk. 2; Bellevue Farms Subdivision.
8. 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.
9. This right is a split from former right 37-2557.
10. 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.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Remarks:Comments:

1. tfawcett 9/18/2008 transfer 74945
 Comment: recommendation updated to reflect approved transfer 74945

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Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: