

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2156A

WATER RIGHT NUMBER: 37-2156A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT M BRENNAN PO BOX 1933 SUN VALLEY, ID 83353 (208)788-9876
Current Owner	GWI INC PO BOX 809 AURORA, OR 97002-0809 (503)784-1771
Original Owner	LAWRENCE A BOYD PO BOX 836 BURLEY, ID 83318 (208)678-2563
Original Owner	HARRY WERRY , ID
Original Owner	ISAIAH MC KERCHER BELLEVUE, ID 83313

	<u>Ref ID</u>	<u>POD ID</u>
1226	250809	134549
256 A	250810	134552
2156 B	250811	134555
12241	250811	134563

Priority Date: 10/05/1909
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
SLAUGHTER CREEK SPRINGS	MILLER DITCH MILLER DITCH

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.500 CFS	
STOCKWATER	3/15 to 11/15	0.050 CFS	
<u>Total Diversion:</u>		1.500 CFS	

Location of Point(s) of Diversion

SLAUGHTER CREEK BLAINE County	NE1/4SE1/4SE1/4 (Ending of Reach)	Sec. 25, Twp 02N, Rge 19E, B.M.
SLAUGHTER CREEK BLAINE County	NE1/4SE1/4NE1/4 (Beginning of Reach)	Sec. 19, Twp 02N, Rge 18E, B.M.
SPRINGS BLAINE County	NE1/4NW1/4NW1/4	Sec. 20, Twp 02N, Rge 19E, B.M.

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals

K73
2x423
2x

Doug Jones

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02N 19E 30	7.5	7.5	30.0	30.0	75.0
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Total Acres: 75

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

1. General THIS LICENSE 37-2156A TOGETHER WITH 37-01226 AND 37-2156B AND FLOW OF SLAUGHTER CREEK AND SPRING ARE USED TO IRRIGATE ABOUT ABOUT 172.16 ACRES. USE ENTIRE FLOW. LICENSES DO NOT DESCRIBE ALL LAND WATER IS USED ON. QUESTION 10 SHOWS USE PER ORIGINAL LICENSE. SEE ATTACHED MAP AND LEGAL DESCRIPTION FOR PALCE OF TOTAL USAGE OF ALL WATER.
ITEM 5 (CONT.) SMALL DAM IN SLAUGHTER CREEK BUILT ABOUT 1909 LOCATED ABOUT 1/2 MILE NW FROM NE CORNER OF SECTION 30. WATER DISTRIBUTED TO IRRIGATION DITCH USED TO IRRIGATE HAY GROUND. ANY UNUSED WATER AND WATER IN NON-IRRIGATION SEASON RUNS INTO MILLER DITCH.

Comments:

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Water Permit Report 37-8858

WATER RIGHT NUMBER: 37-8858

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT KIMMICH PO BOX 346 HAILEY, ID 83333 (208)788-4975

Priority Date: 08/30/1996

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
CROESUS GULCH CREEK	CROY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
POWER	1/01 to 12/31	0.130 CFS	
	<u>Total Diversion:</u>	0.130 CFS	

Location of Point(s) of Diversion

CROESUS GULCH CREEK	NE1/4NW1/4	Sec. 32, Twp 02N, Rge 18E, B.M.
BLAINE County		
CROESUS GULCH CREEK	NW1/4NW1/4	Sec. 32, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	29												X					

Conditions of Approval:

1. 01F The right holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
2. 025 This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
3. 027 Use of water under this right shall be non-consumptive.
4. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. 076 This right authorizes a single point of diversion.

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6. 08A This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
7. 09E Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
8. 17K The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
9. 17M The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
10. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.

Remarks:

1. General Place of use is located within Cottonwood M.S. 2376.

Comments:

1. CZIMMERM 1/3/1997 DIVERSION DESCRIPTION

Comment: 2"-4" PVC pipe inlet, screened; leading 900'-1000' to a Harris Micro-Hydro Turbine; 8" return pipe to creek; all 4' below grade. 100' head; 5520 watt hours per day.

Dates and Other Information:

Permit Proof Due Date:
 Permit Proof Made Date:
 Permit Approved Date: 1/7/1997
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Field Exam Date:
 Date Sent to State Office:
 Date Received at State Office:
 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:

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Water Permit Report 37-20930

WATER RIGHT NUMBER: 37-20930

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK T NICKUM PO BOX 1565 HAILEY, ID 83333 (208)788-3851
Current Owner	PATRICIA A NICKUM PO BOX 1565 HAILEY, ID 83333 (208)788-3851

Priority Date: 04/30/2003

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS
UNNAMED STREAM	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DIVERSION TO STORAGE	01/01 to 12/31	1.500 CFS	
RECREATION STORAGE	01/01 to 12/31		5.30 AF
WILDLIFE STORAGE	01/01 to 12/31		5.30 AF
AESTHETIC STORAGE	01/01 to 12/31		5.30 AF
	<u>Total Diversion:</u>	1.500 CFS	5.30 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SW1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		
SPRING	L5 (NW1/4NE1/4)	Sec. 30, Twp 02N, Rge 18E, B.M.
BLAINE County	(Injection)	
SPRING	SE1/4SW1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County	(Rediversion)	
SPRING	L5 (NW1/4NW1/4NE1/4)	Sec. 30, Twp 02N, Rge 18E, B.M.
BLAINE County		
SPRING	L5 (NW1/4NE1/4)	Sec. 30, Twp 02N, Rge 18E, B.M.
BLAINE County	(Injection)	
SPRING	L5 (NW1/4NW1/4NE1/4)	Sec. 30, Twp 02N, Rge 18E, B.M.
BLAINE County		
SPRING	SW1/4SW1/4SE1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		
SPRING	SW1/4SE1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County	(Injection)	

Place of Use

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RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	19												X			X		

WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	19												X			X		

AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	19												X			X		

Conditions of Approval:

1. Wildlife, Recreation and Aesthetic uses are associated with an existing 5.3 acre foot pond.
2. Recreation storage use is for fishing and swimming.
3. Water diverted under this right is injected into the unnamed stream and is rediverted from the stream into a pond.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 051 Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. R05 Although the source of water is not currently regulated by a watermaster, use of water under this right may 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. 37.
7. X38 Use of water under this right shall be non-consumptive. At such time in the future as the Director determines necessary to protect the prior rights of other users, the Director may require determination of the rate of loss within the system using a procedure approved by the Director, and may require mitigation for all system losses.

Remarks:Comments:

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Dates and Other Information:

Permit Proof Due Date: 12/01/2003
Permit Proof Made Date: 09/30/2003
Permit Approved Date: 08/13/2003
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector: And/Or
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: T
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: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>
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Verification Log:

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