

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JAN 27 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-252	Yes ☐	Yes ☐	37-75980	Yes ☐	Yes ☐
37-712	Yes ☐	Yes ☐	37-8569	Yes ☐	Yes ☐
37-2553A	Yes ☐	Yes ☐	37-8571	Yes ☐	Yes ☐
37-2575	Yes ☐	Yes ☐	37-22777	Yes ☒	Yes ☐ 37-23424
37-2686D	Yes ☐	Yes ☐	37-22778	Yes ☐	Yes ☐

2. Previous Owner's Name:

Aubry Spring Ranch LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Steve Barnard

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

18450 Highway 20
Mailing address

Bellevue
City

ID 83313
State Zip

650 644 9516
Telephone

rw56@earthlink.net
Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 6/19/2012

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
N/A ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
— o \$25 per undivided water right.
o \$100 per split water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 37-252

8. Signature:

Stephen T. Barnard
Signature of new owner/claimant
Print name

Owner
Title, if applicable

1/25/2023
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

Print name

SG

1/27/2023

21612023

5039652

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Received by

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1/27/2023

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Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by

Processed by

Date

2-7-23

Instrument 357579

HAILEY, BLAINE, IDAHO

1-7-2019 03:17:07 PM No. of Pages: 4

Recorded for : MICHAEL DONOVAN

JOLYNN DRAGE

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

BH

RECORDING REQUESTED BY AND AFTER RECORDING RETURN TO:

Michael F. Donovan

P.O. Box 1172

Ketchum, ID 83340-1172

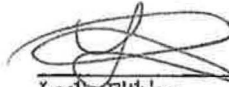
(Space above this line for Recorder's use only)

QUITCLAIM DEED

FOR VALUE RECEIVED, Leslie Fithian does hereby convey, release, remise and forever quitclaim unto Steve Barnard, Grantee, whose current address is 18450 Highway 20, Bellevue, Idaho 83313, all of her right title and interest in the following described real property situated in the County of Blaine, State of Idaho, to-wit:

See Exhibit A, attached and incorporated herein together with its appurtenances.

DATED this 12th day of December, 2018.


Leslie Fithian

QUITCLAIM DEED/1

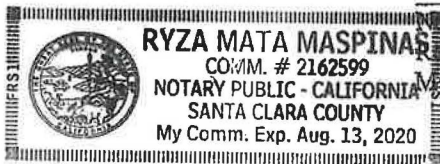
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

County of Santa Clara ^{89.}

On this 12th day of Dec., 2018, before me, a Notary Public for said State, personally appeared Leslie Flithian, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



[Signature]
Notary Public for California
Residing at: Santa Clara
My commission expires: 08-13-2020

QUITCLAIM DEED/2

TOWNSHIP 1 SOUTH RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO

Sections 13 & 14: A parcel of land more particularly described as follows:

Commencing at a brass cap marking the Northeast corner of said Section 14, which point is North $89^{\circ}31'00''$ West, 2,640.89 feet from the North $\frac{1}{4}$ corner of said Section 13; thence South $89^{\circ}06'49''$ West, 1,014.43 feet along the North boundary of said Section 14 to a $\frac{5}{8}''$ rebar on the Southwest boundary of the UPRR right-of-way, which point is the REAL POINT OF BEGINNING; thence Continuing South $89^{\circ}06'49''$ West, 298.37 feet along said North boundary of Section 14 to an aluminum cap marking the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14; thence South $00^{\circ}19'42''$ East, 5,239.68 feet along the West boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14 and also the West boundary of the W $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14 to a $\frac{5}{8}''$ rebar on the North boundary of Highway No. 20; thence North $89^{\circ}56'22''$ East, 2,641.92 feet along the North boundary of said Highway No. 20 to a $\frac{5}{8}''$ rebar at the intersection of said Highway No. 20 and the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 13; thence North $00^{\circ}19'28''$ West, 1,248.96 feet along said East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, to an aluminum cap at the Northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South $89^{\circ}42'28''$ East, 898.34 feet along the South boundary of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, to a $\frac{5}{8}''$ rebar at the Southwest boundary of said UPRR right-of-way; thence North $89^{\circ}09'48''$ West, 5,135.23 feet along said Southwest boundary of the UPRR right-of-way to the POINT OF BEGINNING.

Also known as "Tax Lot 7281"

AND

Section 13:
follows:

A parcel of land within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as

Commencing at a $\frac{5}{8}''$ rebar by LS 792 marking the SW $\frac{1}{16}$ corner, also the Northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, which point is the REAL POINT OF BEGINNING; thence South $00^{\circ}19'28''$ East, 1,248.96 feet along the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to a $\frac{5}{8}''$ rebar by LS 792 marking the North boundary of Idaho State Highway No. 20; thence



North 89°55'22" East, 1,352.51 feet along said Highway No. 20 to a 5/8" rebar by LS 792 marking Milt Fife's Southwest corner on the East boundary of said SE¼SW¼, which point lies 86.6 feet North 00°27'27" West from the South one quarter corner of said Section 13; thence

North 00°27'27" West, 708.18 feet, more or less, along said East boundary of the SE¼SW¼ and Milt Fife's West boundary to a 5/8" rebar by LS 792 on the Southwest boundary of the old UPRR right-of-way; thence

North 39°09'48" West, 689.74 feet along said old UPRR right-of-way to a 5/8" rebar by LS 792 on the North boundary of said SW¼SW¼; thence

North 89°42'28" West, 898.34 feet along said North boundary of the SE¼SW¼ to the POINT OF BEGINNING.

Also known as Tax Lot 7282



**SUN VALLEY
TITLE
C O M P A N Y**

Order No. 1226345

WARRANTY DEED

FOR VALUE RECEIVED

AUBREY SPRING RANCH, LLC, an Idaho limited liability company

the Grantor does hereby grant, bargain, sell, convey and warrant unto

**STEVE BARNARD AND LESLIE FITHIAN, HUSBAND AND WIFE AS COMMUNITY
PROPERTY WITH RIGHTS OF SURVIVORSHIP**

the Grantee whose current address is: **130 Treasure Lane
Hailey, ID 83333**

the following described premises, in **BLAINE COUNTY, IDAHO**, to-wit:

See Attached Legal Description

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 19th day of June, 2012

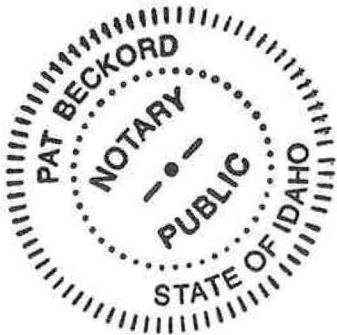
AUBREY SPRING RANCH, LLC

BY ROBERT J. DRUMMOND, MANAGING MEMBER

State of: IDAHO
County of: Kootenai

On this 19th day of June 2012, Before me a Notary Public in and for said State, personally appeared Robert J. Drummond KNOWN OR IDENTIFIED TO ME TO BE THE MEMBERS/MANAGER/AGENT OF THE LIMITED LIABILITY COMPANY OF AUBREY SPRING RANCH, LLC, and the manager who subscribed said limited liability company name to the within instrument, and acknowledged to me that he executed the same in said limited liability name.


Notary Public
Residing at Klayden Id.
Comm. Expires 2-17-18



**TOWNSHIP 1 SOUTH RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO**

Sections 13 & 14: A parcel of land more particularly described as follows:

Commencing at a brass cap marking the Northeast corner of said Section 14, which point is North 89°31'00" West, 2,640.89 feet from the North ¼ corner of said Section 13; thence South 89°06'49" West, 1,014.43 feet along the North boundary of said Section 14 to a 5/8" rebar on the Southwest boundary of the UPRR right-of-way, which point is the **REAL POINT OF BEGINNING**; thence Continuing South 89°06'49" West, 298.37 feet along said North boundary of Section 14 to an aluminum cap marking the Northwest corner of the E½NE¼, Section 14; thence South 00°13'42" East, 5,239.68 feet along the West boundary of said E½NE¼, Section 14 and also the West boundary of the E½SE¼, Section 14 to a 5/8" rebar on the North boundary of Highway No. 20; thence North 89°56'22" East, 2,641.92 feet along the North boundary of said Highway No. 20 to a 5/8" rebar at the intersection of said Highway No. 20 and the East boundary of the SW¼SW¼, said Section 13; thence North 00°19'28" West, 1,248.96 feet along said East boundary of the SW¼SW¼, Section 13, to an aluminum cap at the Northeast corner of said SW¼SW¼; thence South 89°42'28" East, 898.34 feet along the South boundary of the NE¼SW¼, Section 13, to a 5/8" rebar at the Southwest boundary of said UPRR right-of-way; thence North 39°09'48" West, 5,155.23 feet along said Southwest boundary of the UPRR right-of-way to the **POINT OF BEGINNING**.

Also known as Tax Lot 7281

AND

Section 13: A parcel of land within the SE¼SW¼, more particularly described as follows:

Commencing at a 5/8" rebar by LS 792 marking the SW 1/16 corner, also the Northwest corner of said SE¼SW¼, Section 13, which point is the **REAL POINT OF BEGINNING**; thence South 00°19'28" East, 1,248.96 feet along the West boundary of said SE¼SW¼ to a 5/8" rebar by LS 792 marking the North boundary of Idaho State Highway No. 20; thence

North 89°56'22" East, 1,332.51 feet along said Highway No. 20 to a 5/8" rebar by LS 792 marking Milt Fife's Southwest corner on the East boundary of said SE¼SW¼, which point lies 86.6 feet North 00°27'27" West from the South one quarter corner of said Section 13; thence

North 00°27'27" West, 708.18 feet, more or less, along said East boundary of the SE¼SW¼ and Milt Fife's West boundary to a 5/8" rebar by LS 792 on the Southwest boundary of the old UPRR right-of-way; thence

North 39°09'48" West, 689.74 feet along said old UPRR right-of-way to a 5/8" rebar by LS 792 on the North boundary of said SE¼SW¼; thence

North 89°42'28" West, 898.34 feet along said North boundary of the SE¼SW¼ to the POINT OF BEGINNING.

Also known as Tax Lot 7282



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 07, 2023

STEVE BARNARD
18450 HIGHWAY 20
BELLEVUE ID 83313-5116

Re: Change in Ownership for Water Right Nos: 37-252, 37-712, 37-2553A, 37-2575, 36-2686D, 37-7598D, 37-8569, 37-8571, 37-22778 & 37-22777 (Split into 37-22777 & **37-23424**)

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Your portion of each split water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

In regard to the split water right 37-22777, the portion of the water right retained by the original right holder retains the original water right number and your portion of the split water right is now water right 37-23424.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9915.

Sincerely,

Bill Mills

Water Resource Agent, Senior

Enclosures

C: Water District 37

SCANNED

MAR 06 2023

RECEIVED

JAN 27 2023

DEPT. OF WATER RESOURCES
SOUTHERN REGION

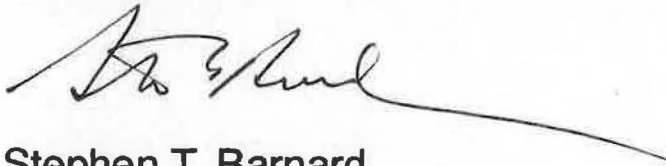
1/25/2023

To whom it may concern,

This letter describes the circumstances surrounding of the Notice of Change in Water Right Ownership.

My wife Leslie Fithian and I purchased Aubrey Spring Ranch on 6/19/2012 from Aubrey Spring Ranch LLC. I have included a copy of the deed. We divorced in 2019 and I received the property in the settlement. I have included a copy of Leslie Fithian's quitclaim deed.

Also, please remove attorney James Speck from these water rights records.



Stephen T. Barnard

attn: Corey Skinner, Bill Mills

SCANNED

MAR 06 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

- | | | |
|-----|-----|---|
| 6. | R55 | This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest. |
| 7. | 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 place of use. |
| 8. | 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. |
| 9. | 105 | 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 for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required. |
| 10. | | An intake screen acceptable to Idaho Fish & Game shall be installed at the point of rediversion on Loving Creek to prevent any negative impact on juvenile fish. |

Comments:

- | | | | |
|---|---|-----------|----------------|
| 1 | wmills
Updated Shape | 9/11/2012 | POU |
| 2 | wmills
Updated Shape | 9/11/2012 | POD |
| 3 | amerritt
Issued this day. This license is a split portion from permit 37-7810. | 1/14/2013 | license |
| 4 | dmaline
Address change completed 7/18/2013 | 7/18/2013 | Address change |
| 5 | TSmith
Updated Shape | 7/7/2021 | POU |
| 6 | SNovak
Updated Shape | 7/9/2021 | POU |
| 7 | wmills
Split into 37-23424. | 2/7/2023 | Split Right |
| 8 | wmills
Updated Shape | 2/7/2023 | POU |

Dates and Other Information:

Licensed Date: 1/14/2013
Water District Number: 37

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

Mitigation Plan: False

Combined Use Limits:

Rate

5.460

Volume

Acres

Water Rights

37-2553A ,37-22777 ,37-
8571

SubCase:

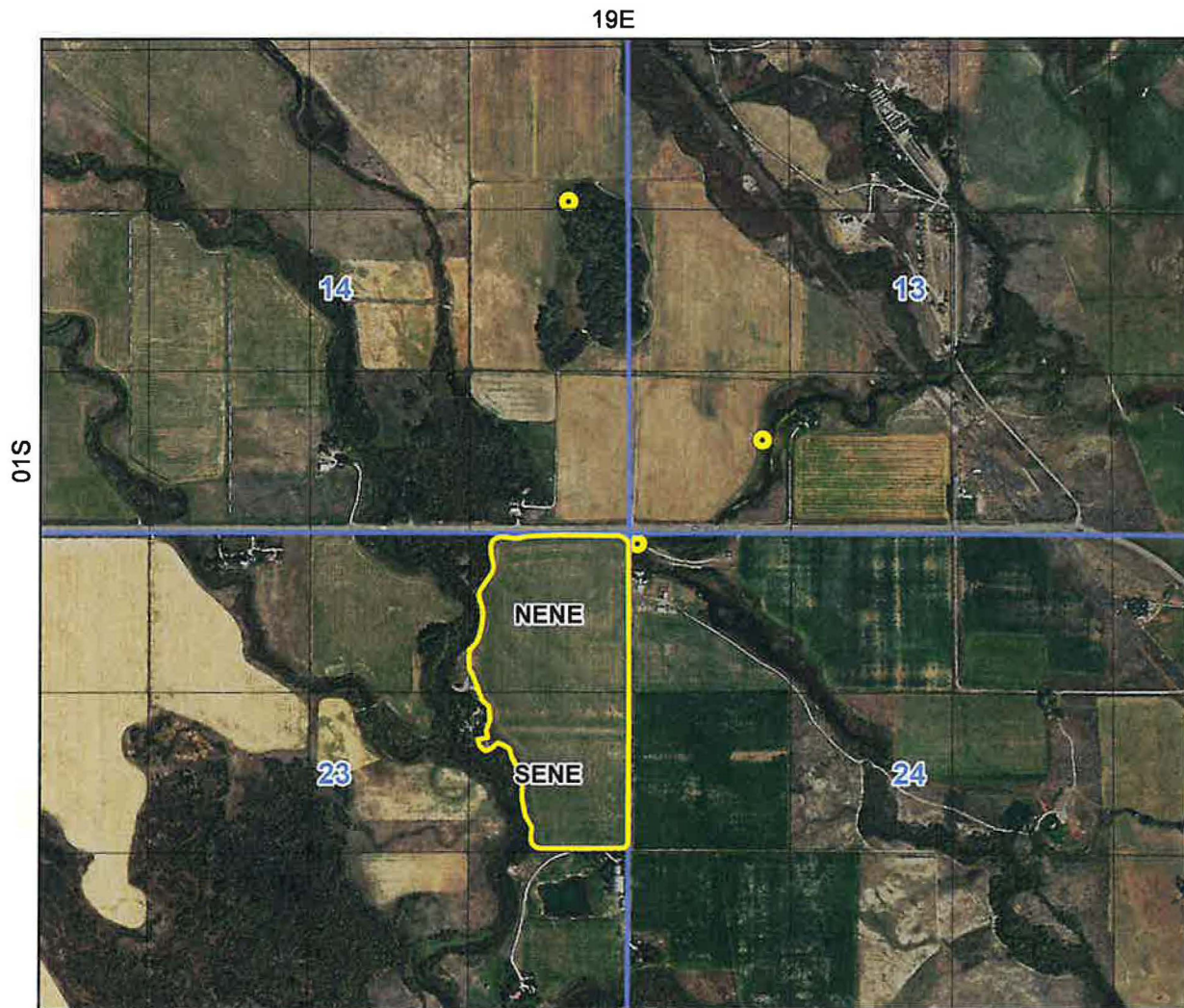
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right AFTER Ownership Change Split
37-22777

This map depicts the IRRIGATION place of use boundary for this water right and is solely for illustrative purposes.



0 0.175 0.35 0.7 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion



SCANNED
MAR 06 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

Water Right 37-22777
BEFORE Ownership Change Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AUBREY SPRING RANCH LLC 18450 HWY 20 BELLEVUE, ID 83313 (650) 644-9516

Priority Date: 12/5/1979

Basis: License

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>Volume</u>
IRRIGATION	04/15	10/31	3.180 CFS	556.2 AF
	<u>Total Diversion</u>		3.180 CFS	556.2 AF

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 24, Twp 01S, Rge 19E, BLAINE County(R)
GROUND WATER	SENE	Sec. 14, Twp 01S, Rge 19E, BLAINE County
GROUND WATER	SWSW	Sec. 13, Twp 01S, Rge 19E, BLAINE County(I)

Place Of Use:

IRRIGATION within BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	19E	13							10.0		10.0	36.0	30.0	1.6					87.6
01S	19E	14				3.2												3.1	6.3
01S	19E	23	36.0			29.0													65.0

POU Total Acres: 158.9

Conditions of Approval:

- | | | |
|----|-----|--|
| 1. | 004 | The issuance of this right does not grant any right-of-way or easement across the land of another. |
| 2. | 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. |
| 3. | 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 diversion(s). |
| 4. | X11 | The right holder shall install and maintain acceptable measuring devices at the point of injection into Loving Creek and at the point of redirection from Loving |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

- Creek.
5. X35 Rights 37-22777, 37-2553A and 37-8571 when combined shall not exceed a total diversion rate of 5.46 cfs.
6. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. 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 place of use.
8. 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.
9. 105 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 for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. An intake screen acceptable to Idaho Fish & Game shall be installed at the point of rediversion on Loving Creek to prevent any negative impact on juvenile fish.

Comments:

- | | | | |
|---|----------|-----------|----------------|
| 1 | wmills | 9/11/2012 | POU |
| Updated Shape | | | |
| 2 | wmills | 9/11/2012 | POD |
| Updated Shape | | | |
| 3 | amerritt | 1/14/2013 | license |
| Issued this day. This license is a split portion from permit 37-7810. | | | |
| 4 | dmaline | 7/18/2013 | Address change |
| Address change completed 7/18/2013 | | | |
| 5 | TSmith | 7/7/2021 | POU |
| Updated Shape | | | |
| 6 | SNovak | 7/9/2021 | POU |
| Updated Shape | | | |

Dates and Other Information:

Licensed Date: 1/14/2013
Water District Number: 37
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

Combined Use Limits:

Rate

5.460

Volume

Acres

Water Rights

37-2553A ,37-22777 ,37-
8571

SubCase:

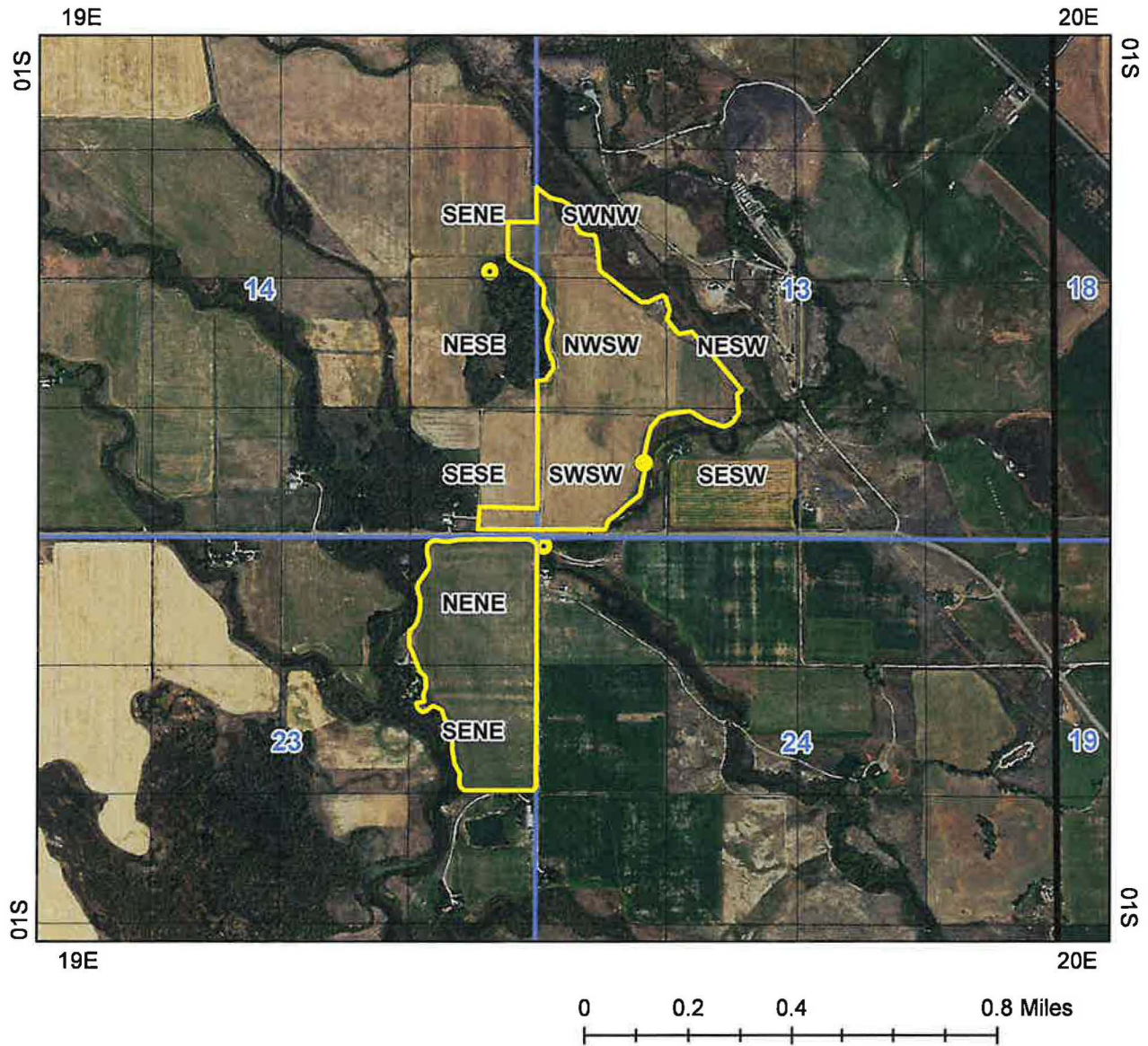
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right BEFORE Ownership Change Split
37-22777

This map depicts the IRRIGATION place of use boundary for this water right and is solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion



SCANNED
MAR 06 2023

2/7/2023

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE BARNARD 18450 HIGHWAY 20 BELLEVUE, ID 83313-5116 (650) 644-9516

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.880 CFS	327.7 AF
	Total Diversion		3.180 CFS	327.7 AF

GROUND WATER	NWNW	Sec. 24, Twp 01S, Rge 19E, BLAINE County(R)
GROUND WATER	SENE	Sec. 14, Twp 01S, Rge 19E, BLAINE County
GROUND WATER	SWSW	Sec. 13, Twp 01S, Rge 19E, BLAINE County(I)

[illegible]

POU Total Acres: 93.9

1.	004	The issuance of this right does not grant any right-of-way or easement across the land of another.
2.	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.
3.	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 diversion(s).
4.	X11	The right holder shall install and maintain acceptable measuring devices at the point of injection into Loving Creek and at the point of redirection from Loving Creek.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/7/2023

- | | | |
|-----|-----|---|
| 5. | X35 | Rights 37-23424, 37-22777, 37-2553A and 37-8571 when combined shall not exceed a total diversion rate of 5.46 cfs. |
| 6. | R55 | This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest. |
| 7. | 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 place of use. |
| 8. | 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. |
| 9. | 105 | 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 for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required. |
| 10. | | An intake screen acceptable to Idaho Fish & Game shall be installed at the point of diversion on Loving Creek to prevent any negative impact on juvenile fish. |

Comments:

- | | | | |
|--|--------|----------|-------------|
| 1 | wmills | 2/7/2023 | Split Right |
| This right is the result of split from 37-22777. | | | |
| 2 | wmills | 2/7/2023 | POU |
| Updated Shape | | | |

Dates and Other Information:

Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

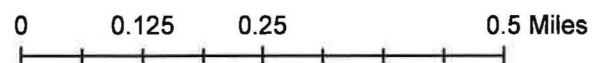
N/A

Water Supply Bank:

N/A

37-23424

19E



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SCANNED
MAR 06 2023