

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/31/2023

Water Right 37-481D
WR Report AFTER Ownership Change Split

Owner Type **Name and Address**
Current Owner ECCLES FLYING HAT RANCH LLC
79 S MAIN ST FL 2
SALT LAKE CTY, UT 84111-1929
(801) 246-5329

Priority Date: 8/1/1882

Basis: Decreed

Status: Active

Source
BIG WOOD RIVER

Tributary
MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.400 CFS	
	<u>Total Diversion</u>		0.400 CFS	

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESWNE	Sec. 16, Twp 02N, Rge 18E, BLAINE County
BIG WOOD RIVER	SENESE	Sec. 22, Twp 02N, Rge 18E, BLAINE County

Place Of Use:

IRRIGATION within BLAINE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	15												0.3			4.5		4.8
02N	18E	22	9.0	31.0	2.8	36.0	0.6								32.0				111.4
02N	18E	23							21.0		14.0	40.0	40.0	38.0			11.0	8.0	172.0
02N	18E	25						26.0	40.0	5.9	26.0	25.0	3.4	15.0					141.3
02N	18E	26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Right Acre Limit: 51.00
POU Total Acres: 675.5

Conditions of Approval:

1. X35 Rights 37-481D and 37-482J when combined shall not exceed the irrigation of 51.0 acres.
2. X35 Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-11975, 37-11976, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 6.65 cfs, a total annual maximum diversion volume of 679.0 af at the field headgate, and the irrigation of 97.0 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-11975, 37-11976, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system shall not

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- exceed a maximum diversion rate of 1.94 cfs and 339.5 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 3.88 cfs and 679.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
4. 206 Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-2713, 37-7356, 37-11975, 37-11976, and 37-11978 are limited to the irrigation of a specific 97.0 acres within the 675.5 acre place of use in a single irrigation season. The specific 97.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 97.0 acres to be irrigated within the 675.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
6. 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. 37.
7. 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).
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. 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.

Comments:

1	jcooper	11/8/2011	POD
Updated Shape			
2	jcooper	12/22/2011	POU
Updated Shape			
3	amerritt	1/12/2012	Transferred Right

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This is now an approved transfer, transfer number = 74910

4	SNovak Updated Shape	10/24/2022	POU
5	SNovak Updated Shape	10/27/2022	POU
6	CParker Updated Shape	11/22/2022	POD
7	CParker Updated Shape	11/22/2022	POU
8	jbitzenburg Corrected the condition limiting the sprinkler system/surface application flow rate and volume to read 4172.0 af for surface application, per decree. Previously, the condition read 41720.0 af.	11/23/2022	Condition correction
9	jbitzenburg Updated Shape	12/29/2022	POU
10	jbitzenburg Split into 37-23401.	1/9/2023	Split Right
11	jbitzenburg Updated Shape	1/10/2023	POU
12	jbitzenburg Split into 37-23411.	1/26/2023	Split Right

Dates and Other Information:

Decreed Date: 9/24/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
6.650	679.0	51.0 97.0

Water Rights

37-482J ,37-481D
37-482J ,37-483D ,37-
2713 ,37-7356 ,37-
11975 ,37-11976 ,37-
11978 ,37-481D ,37-
577BP

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SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 37-2713, 37-7356, 37-483D, 37-577BP, 37-11975,
37-11976, 37-11978, 37-481D, & 37-482J
Map AFTER Ownership Change Split**



0 0.2 0.4 0.8 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



SCANNED
MAR 21 2023

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Water Right 37-481D
WR Report BEFORE Ownership Change Split

Owner Type **Name and Address**
Current Owner ECCLES FLYING HAT RANCH LLC
79 S MAIN ST FL 2
SALT LAKE CTY, UT 84111-1929
(801) 246-5329

Priority Date: 8/1/1882

Basis: Decreed

Status: Active

Source
BIG WOOD RIVER

Tributary
MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.450 CFS	
	<u>Total Diversion</u>		1.450 CFS	

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESWNE	Sec. 16, Twp 02N, Rge 18E, BLAINE County
BIG WOOD RIVER	SENESE	Sec. 22, Twp 02N, Rge 18E, BLAINE County

Place Of Use:

IRRIGATION within BLAINE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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02N	18E	26	38.0	35.0	40.0	32.0	40.0	29.0		32.0									246.0

Right Acre Limit: 187.00
POU Total Acres: 675.5

Conditions of Approval:

1. X35 Rights 37-481D and 37-482J when combined shall not exceed the irrigation of 187 acres.
2. X35 Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when combined shall not exceed a total diversion rate of 16.69 cfs, a total annual maximum diversion volume of 2758.0 af at the field headgate, and the irrigation of 394.0 acres.
3. Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-11975, 37-11976, 37-11977, 37-11978, 37-2713, and 37-7356 when applied by sprinkler system

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- shall not exceed a maximum diversion rate of 7.88 cfs and 1379.0 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 15.76 cfs and 2758.0 af at the field headgate. Any portion of these rights in excess of the maximum applied rates of diversion and volumes at the field headgate shall be limited to use for conveyance losses and shall not be diverted from the river unless required for the delivery of the applied rate of water to the field headgate.
4. 206 Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917, 37-2713, 37-7356, 37-11975, 37-11976, 37-11977, and 37-11978 are limited to the irrigation of a specific 394.0 acres within the 675.5 acre place of use in a single irrigation season. The specific 394.0 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the Department. Before changing the 394.0 acres to be irrigated within the 675.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre when applied by sprinkler system and 7.0 afa per acre when applied by surface application at the field headgate for irrigation of the lands above.
6. 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. 37.
7. 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).
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. 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.

Comments:

1	jcooper Updated Shape	11/8/2011	POD
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8	jbitzenburg	11/23/2022	Condition correction
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9	jbitzenburg	12/29/2022	POU
Updated Shape			
10	jbitzenburg	1/9/2023	Split Right
Split into 37-23401.			
11	jbitzenburg	1/10/2023	POU
Updated Shape			

Dates and Other Information:

Decreed Date: 9/24/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 37
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
16.690	2,758.0	394.0

Water Rights

37-482J ,37-481D
37-482J ,37-483D ,37-
917 ,37-2713 ,37-7356
,37-11975 ,37-11976
,37-11977 ,37-11978
,37-481D ,37-577BP

SubCase:

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Proof Report

1/17/2023

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 37-481D, 37-482J, 37-483D, 37-577BP, 37-917,
37-11975, 37-11976, 37-11977, 37-11978, 37-2713,
and 37-7356 Map BEFORE Ownership Change Split**



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.275 0.55 1.1 Miles



SCANNED
MAR 21 2023