

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/14/2023

Water Right 37-23425
Split of 37-37-2713

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ECCLES WINDOW ROCK RANCH LLC 79 S MAIN ST FL 2 SALT LAKE CTY, UT 84111-1929 (208) 726-7100

Priority Date: 8/18/1965

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/01	0.920 CFS	192.5 AF
	<u>Total Diversion</u>		0.920 CFS	192.5 AF

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 23, Twp 02N, Rge 18E, BLAINE County
GROUND WATER	NESW	Sec. 23, Twp 02N, Rge 18E, BLAINE County
GROUND WATER	SWSE	Sec. 15, Twp 02N, Rge 18E, BLAINE County
GROUND WATER	NWSW	Sec. 23, Twp 02N, Rge 18E, BLAINE County

Place Of Use:

IRRIGATION within BLAINE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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: 55.00
POU Total Acres: 675.5

Conditions of Approval:

1. X27 This right is limited to the irrigation of 55.0 acres within the place of use described above in a single irrigation season.
2. X35 Rights 37-23425 and 37-23426 when combined shall not exceed a total annual maximum diversion volume of 192.5 af at the field headgate, and the irrigation of 55.0 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/14/2023

3. X35 Rights 37-23425, 37-23426, 37-23427, 37-23428, 37-11975, 37-11976, and 37-11978 when combined shall not exceed a total diversion rate of 5.30 cfs, a total annual maximum diversion volume of 385.0 af at the field headgate, and the irrigation of 55.0 acres.
4. 206 Rights 37-23425, 37-23426, 37-23427, 37-23428, 37-11975, 37-11976, and 37-11978 are limited to the irrigation of a specific 55.0 acres within the 675.5 acre place of use in a single irrigation season. The specific 55.0 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 55.0 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. Rights 37-23425, 37-23426, 37-23427, 37-23428, 37-11975, 37-11976, and 37-11978 when applied by sprinkler system shall not exceed a maximum diversion rate of 1.10 cfs and 192.5 af at the field headgate, and when applied by surface application shall not exceed a maximum diversion rate of 2.20 cfs and 385.0 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.
6. Rights 37-23425 and 37-23426 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-23425 and 37-23426 used for conveyance losses is 0.07 cfs.
7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
10. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/16/2002 (approval date of transfer 69809).
11. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/14/2023

13. 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.
14. 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 jbitzenburg 2/7/2023 Split Right
This right is the result of split from 37-2713.
- 2 jbitzenburg 2/14/2023 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
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
5.300	385.0	55.0	37-11975 ,37-11976 ,37-11978 ,37-23425 ,37-23426 ,37-23427 ,37-23428

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 37-23425, 37-23426, 37-23427,
37-23428, 37-11975, 37-11976, & 37-11978**



0 0.075 0.15 0.3 Miles

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



SCANNED
MAR 21 2023