



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 8, 2000

BEN CAVANESS
895 FILMORE
AMERICAN FALLS ID 83211

RE: Transfer #5562 (water right 35-7668 & 35-7991) and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Cavaness:

On March 8, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5562, modifying a portion of the above referenced water right(s). Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 35-7668,
35-7991 split into A & B

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer **5562**

☒ point of diversion ☒ place of use

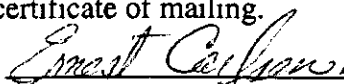
☐ period of use ☐ nature of use

☒ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 8 Dec 2000

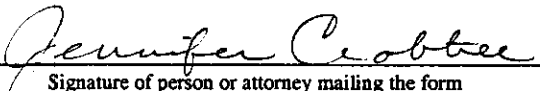


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12-8, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
BEN CAVANESS
895 FILMORE
AMERICAN FALLS ID 83211
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
JOHN ROSHOLT
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

12/07/2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-7668

NAME AND ADDRESS: BEN CAVANESS
895 FILMORE
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 1.94 CFS
616 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-7991B IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 616.0 AF.

PRIORITY DATE: 02/02/1977

POINT OF DIVERSION: T09S R28E S15 SESW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 11-01	1.940 CFS 616.0 AFY

PLACE OF USE:

<u>IRRIGATION Within POWER County</u>			
T09S R28E S15	NESW	16	T09S R28E S15 NWSW 16
T09S R28E S15	SWSW	40	T09S R28E S15 SESW 40
T09S R28E S15	SWSE	5.7	T09S R28E S22 NWNW 0.3
T09S R28E S22	NENW	19	T09S R28E S22 NWNW 17

154 ACRES TOTAL

THE USE OF WATER WITHIN T09S, R28E, S15, NESW AND NWSW IS
LIMITED TO THE S1/2 OF THOSE PLACES OF USE

USE OF THIS RIGHT WITH RIGHT NO. 35-7991B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM License

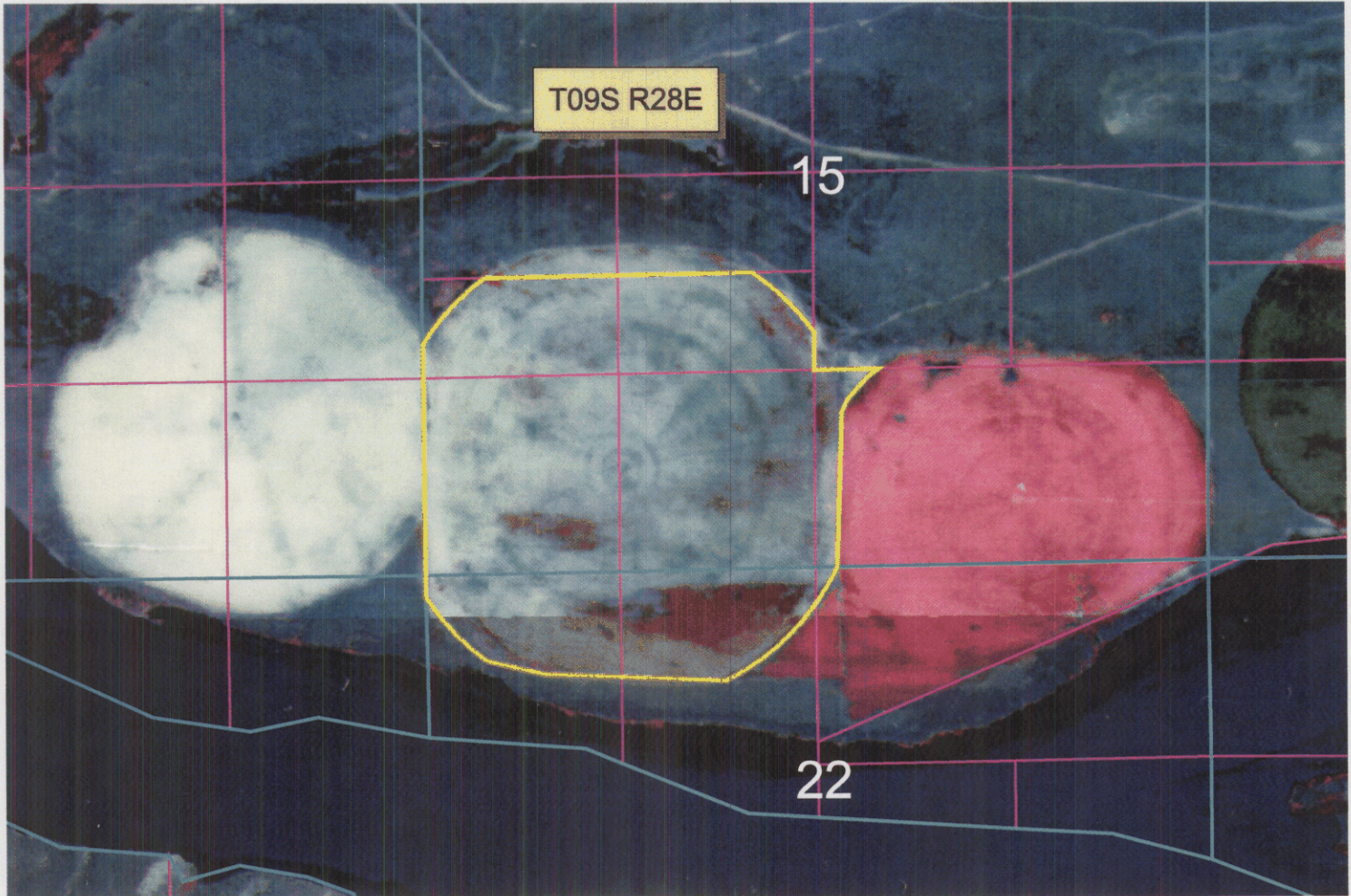
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources

Water Right(s): 35-7991B
35-7668

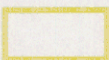


0 1320 2640 3960 5280 Feet

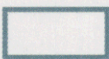
LEGEND



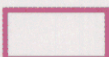
Point of Diversion



Place of Use

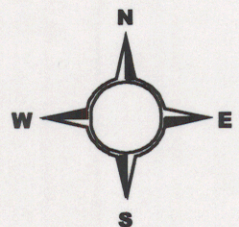


Section Line



Quarter-section line

Acres Irrigated = 154



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2000