

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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JUL 22 2003

Department of Water Resources

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	)	Subcase No. 43-37, 43-84, 37-85,
	)	43-259, 43-260, 43-286A, 43-2401
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

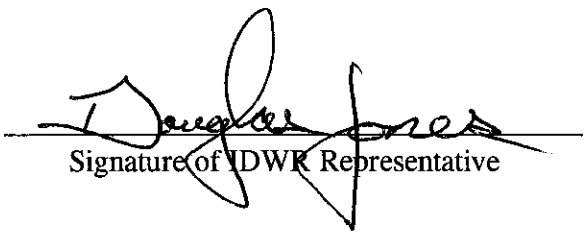
Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

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: _____

7/17/03


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/18, 2003, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Mark Higley
Diane Higley
3951 S 5500W
Hooper UT 84315
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Jason Walker
Ling Robinson & Walker
PO Box 396
Rupert ID 83350-0396
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. 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

07/17/2003

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

RIGHT NUMBER: 43-37

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/01/1881

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0			

333 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-84

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.400 CFS

PRIORITY DATE: 06/14/1911

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-85

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 1.800 CFS

PRIORITY DATE: 07/14/1912

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.800 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-259

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: SPRING

TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 07/24/1911

POINT OF
DIVERSION: T16S R27E S2 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.000 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4	NWNW	37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 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 - Decreed

SOURCE IS ALSO KNOWN AS KELSO SPRING.
RIGHT NUMBER 43-00260 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

07/17/2003

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

RIGHT NUMBER: 43-260

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: SPRING

TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.900 CFS

PRIORITY DATE: 11/05/1914

POINT OF
DIVERSION: T16S R27E S2 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.900 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4 NWNW		37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1 NENE		38.0	T16S R27E S03 Lot 2 NWNE		27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037, 43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 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 - Decreed

RIGHT NO. 43-00259 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

SOURCE IS ALSO KNOWN AS KELSO SPRING.

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

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

07/17/2003

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

RIGHT NUMBER: 43-286A

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: CLEAR CREEK

TRIBUTARY: SINKS

QUANTITY: 3.200 CFS

PRIORITY DATE: 11/23/1911

POINT OF
DIVERSION: T16S R27E S27 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S03 Lot 1	NENE	38.0	T16S R27E S03 Lot 2	NWNE	27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0
T16S R27E S03	NESE	40.0	T16S R27E S26	NWNW	35.0
T16S R27E S26	SWNW	25.0	T16S R27E S27	NENE	35.0
T16S R27E S27	NWNE	40.0	T16S R27E S27	SWNE	10.0
T16S R27E S27	SENE	20.0			

498 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 & 43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43-B.

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 - Decreed

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

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

07/17/2003

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

RIGHT NUMBER: 43-2401

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.740 CFS
735.00 AFY

PRIORITY DATE: 11/30/1953

POINT OF
DIVERSION: T16S R27E S3 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	1.740 CFS 735.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R27E S34	NESW	20.0	T15S R27E S34	NWSW	10.0
T15S R27E S34	SESW	16.0	T15S R27E S34	NWSE	38.0
T15S R27E S34	SWSE	40.0	T15S R27E S34	SESE	24.0
T16S R27E S02 Lot 4 NWNW		37.0	T16S R27E S02	SWNW	40.0
T16S R27E S03 Lot 1 NENE		38.0	T16S R27E S03 Lot 2 NWNE		27.0
T16S R27E S03	SWNE	40.0	T16S R27E S03	SENE	40.0

370 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NOS. 43-00259, 43-00260, 43-00037 43-00084, 43-00085 & 43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 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.