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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2003 JUL 28 AM 11 18

COPY

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: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319**
Case No. 39576	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding:

[X] Address change

[] Substitution of Party

[] I.C. § 42-222 transfer

[]	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: July 28, 2003.

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 25, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail 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:
   PORTNEUF MARSH VALLEY CANAL CO LTD
   C/O ELLIS GILBERT
   2777 E HAWKINS RD
   DOWNEY ID 83234

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
   N/A

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

Jennifer Crabtree
Signature of person or attorney mailing the form

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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RIGHT NUMBER: 29-52

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13318 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE: 12/18/1907

POINT OF DIVERSION: T09S R37E S22 NWNESW Lot 3 Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 09/15	176.850 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC. 22 NWNESW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL AND THE PORTNEUF RIVER CHANNEL.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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.

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
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RIGHT NUMBER: 29-53

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

QUANTITY: 164.430 CFS
16,410.00 AFY

THIS RIGHT WHEN COMBINED WITH 29-589 IS LIMITED TO A COMBINED TOTAL OF 16410 AFA.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:
T06S R38E S33 SWSESE Within CARIBOU County
T06S R39E S19 SWSWSW Injection Within CARIBOU County
T09S R37E S22 NWNESW Rediversion Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	09/16 04/14	164.430 CFS
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

SUITABLE MEASURING DEVICES SHALL BE INSTALLED ON THE PORTNEUF RIVER ABOVE THE FLOW LINE OF THE PORTNEUF-MARSH VALLEY IRRIGATING COMPANY RESERVOIR AT WHICH POINT THE WATER COMES INTO THE RESERVOIR AT T6S R38E S11 NWSESW AND IMMEDIATELY BELOW THE DAM OF SAID RESERVOIR AT T6S R39E S19 SWSWSW SO THAT THE WATER RELEASED MAY BE MORE ACCURATELY DETERMINED. THE NORMAL FLOW OF THE PORTNEUF RIVER MAY NOT BE OBSTRUCTED BY THE RESERVOIR WITH REFERENCE TO THE AMOUNTOF WATER DELIVERED THROUGH THE RESERVOIR DURING THE IRRIGATING SEASON. NO CHARGE SHALL BE MADE AGAINST THE NORMAL STREAM FLOW FROM THE POINT ABOVE THE RESERVOIR LOCATED AT T 6S R38E S11NWSESW AND THE POINT BELOW THE RESERVOIR LOCATED AT T6S R39E S19 SWSWSW.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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.

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2003 JUL 28 AM 11 18

RIGHT NUMBER: 29-589

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

QUANTITY: 16,410.00 AFY

THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED TOTAL OF 16410 AFA.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION:

T06S R39E S19 SWSWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/15 09/15	16,410.00 AFY

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC 22 NWNESW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL AND THE PORTNUEF RIVER.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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 SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2003 JUL 28 AM 11 19

RIGHT NUMBER: 29-4060

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

QUANTITY: 7,285.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, 29-4060, 29-13319.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T06S R39E S19 SWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	04/01 10/31	7,285.00 AFY
IRRIGATION STORAGE	01/01 12/31	7,285.00 AFY

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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 - Beneficial Use

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

DISTRICT COURT - SRBA
BINGHAM CO., IDAHO
FILED
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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13318

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T09S R37E S22 NWNESW Lot 3 Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	176.850 CFS

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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 - Beneficial Use

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

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
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RIGHT NUMBER: 29-13319

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

QUANTITY: 16,410.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T06S R39E S19 SWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 NWNESW Lot 3 Rediversion Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	16,410.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	16,410.00 AFY

PLACE OF USE:

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT #29.

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 - Beneficial Use

WATER IS DELIVERED THROUGH PORTNEUF MARSH VALLEY CANAL.