

COPY

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2003 NOV 13 AM 11 37

RECEIVED  
NOV 17 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 )  
Case No. 39576 )  
\_\_\_\_\_ )  
Water Rights: 61-2107B, 61-2228B  
61-4079  
NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change  
☐ Substitution of Party

XX IC § 42-222 transfer

- ☐ Point of diversion    XX    Place of use  
☐ Period of use    ☐ Nature of use  
☐ Split of water right    ☐ Change in ownership

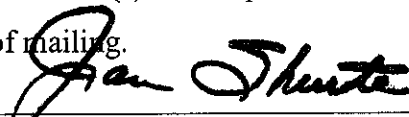
XX Other – Remarks & Conditions

☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: November 12, 2003

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on November 12, 2003, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

|                                |                                                  |
|--------------------------------|--------------------------------------------------|
| Clerk of the District Court    | <input type="checkbox"/> overnight mail          |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 2707                  | <input type="checkbox"/> hand-delivered          |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/> facsimile               |

### 2. Copies to:

|                                 |                                                  |
|---------------------------------|--------------------------------------------------|
| Clive Strong                    | <input type="checkbox"/> overnight mail          |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 44449                  | <input type="checkbox"/> hand-delivered          |
| Boise, ID 83711-4449            | <input type="checkbox"/> facsimile               |

|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| United States Dept of Justice      | <input type="checkbox"/> overnight mail          |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> regular mail |
| 550 West Fort Street MSC 033       | <input type="checkbox"/> hand-delivered          |
| Boise ID 83724                     | <input type="checkbox"/> facsimile               |

### 3. Copies to all parties to the subcase:

|                     |                                                  |
|---------------------|--------------------------------------------------|
| Alice Trail         | <input type="checkbox"/> overnight mail          |
| Lee Trail           | <input checked="" type="checkbox"/> regular mail |
| Rt 1 Box 66         | <input type="checkbox"/> hand-delivered          |
| King Hill, ID 83633 | <input type="checkbox"/> facsimile               |

|                          |                |
|--------------------------|----------------|
| <input type="checkbox"/> | overnight mail |
| <input type="checkbox"/> | regular mail   |
| <input type="checkbox"/> | hand-delivered |
| <input type="checkbox"/> | facsimile      |

  
\_\_\_\_\_  
Signature of person mailing this document

COPY

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS ACQUIRED UNDER STATE LAW  
DISTRICT COURT SRBA  
TWIN FALLS CO., IDAHO  
FILED

RIGHT NUMBER: 61-2107B

2003 NOV 13 AM 11 37

NAME AND ADDRESS:

ALICE TRAIL  
RT 1 BOX 66  
KING HILL ID 83633  
  
LEE T TRAIL  
RT 1 BOX 66  
KING HILL ID 83633

SOURCE:

Source:  
LITTLE CANYON CREEK

Tributary:

SNAKE RIVER

QUANTITY:

6.260 CFS

PRIORITY DATE:

04/14/1955

POINT OF DIVERSION:

T04S R10E S29 NENE  
Within ELMORE County

PURPOSE AND

Purpose of use

Period of use: Quantity:

PERIOD OF USE:

IRRIGATION

4/01 11/01

6.260 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 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:

IRRIGATION within ELMORE County

T05S R09E S16 NENE 35.0

T05S R09E S16 NWNE 40.0

T05S R09E S16 SWNE 41.0

T05S R09E S16 SENE 32.0

T05S R09E S16 NENW 40.0

T05S R09E S16 NWNW 40.0

T05S R09E S16 SWNW 40.0

T05S R09E S16 SENW 40.0

T05S R09E S16 NESW 40.0

T05S R09E S16 NWSW 40.0

T05S R09E S16 SWSW 40.0

T05S R09E S16 SESW 40.0

T05S R09E S16 NESE 29.0

T05S R09E S16 NWSE 41.0

T05S R09E S16 SWSE 41.0

T05S R09E S16 SESE 35.0

T05S R09E S21 NENE 40.0

T05S R09E S21 SWNE 39.0

T05S R09E S21 SENE 40.0

T05S R09E S21 NESE 40.0

T05S R09E S21 NWSE 40.0

T05S R09E S21 SWSE 40.0

T05S R09E S21 SESE 40.0  
T05S R09E S28 NWNE 40.0

933 ACRES TOTAL

~~613 ACRES TOTAL~~

USE OF THIS RIGHT WITH RIGHT NO. 61-2228B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 313 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-2228B, 61-4079 AND 61-4123C.

THE APPROPRIATOR MUST, BY JUNE 10 OF EACH YEAR, IDENTIFY IN WRITING TO IDWR THE PARTICULAR 360 ACRES TO BE IRRIGATED DURING THE IRRIGATION SEASON PURSUANT TO TRANSFER 67120.

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-04079 AND 61-02228B.~~

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE  
NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE  
ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER 67120 WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHTS 61-2107B, 61-2228B, 61-4079 AND 61-4123C ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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. 61-D.

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.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

~~THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-04079, 61-02228B, 61-04123B.~~

~~THE APPROPRIATOR MUST, BY JUNE 10 OF EACH YEAR, IDENTIFY IN WRITING TO IDWR THE PARTICULAR 313 ACRES TO BE IRRIGATED DURING THE IRRIGATION SEASON PURSUANT TO THIS POINT.~~

# COPY

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

RECEIVED  
 NOV 17 2003  
 Department of Water Resources

2003 NOV 13 AM 11 37

RIGHT NUMBER: 61-2228B

NAME AND ADDRESS:

ALICE TRAIL  
 RT 1 BOX 66  
 KING HILL ID 83633  
 LEE T TRAIL  
 RT 1 BOX 66  
 KING HILL ID 83633

SOURCE:

Source:  
 LITTLE CANYON CREEK

Tributary:  
 SNAKE RIVER

QUANTITY:

1,252.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-4079 IS LIMITED TO A TOTAL  
 COMBINED ANNUAL DIVERSION VOLUME OF 1266 AF.

PRIORITY DATE:

01/21/1955

POINT OF DIVERSION:

T04S R10E S29 NENE  
 Within ELMORE County

PURPOSE AND  
 PERIOD OF USE:

| Purpose of use          | Period of use: | Quantity:    |
|-------------------------|----------------|--------------|
| IRRIGATION STORAGE      | 1/01 12/31     | 1,252.00 AFY |
| IRRIGATION FROM STORAGE | 4/01 11/01     | 1,252.00 AFY |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
 EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,  
 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
 OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 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:

IRRIGATION FROM within ELMORE County  
 STORAGE  
 T05S R09E S16 NENE 35.0  
 T05S R09E S16 NWNE 40.0  
 T05S R09E S16 SWNE 41.0  
 T05S R09E S16 SENE 32.0  
 T05S R09E S16 NENW 40.0  
 T05S R09E S16 NWNW 40.0  
 T05S R09E S16 SWNW 40.0  
 T05S R09E S16 SENW 40.0  
 T05S R09E S16 NESW 40.0  
 T05S R09E S16 NWSW 40.0  
 T05S R09E S16 SWSW 40.0  
 T05S R09E S16 SESW 40.0  
 T05S R09E S16 NESE 29.0  
 T05S R09E S16 NWSE 41.0  
 T05S R09E S16 SWSE 41.0  
 T05S R09E S16 SESE 35.0  
 T05S R09E S21 NENE 40.0  
 T05S R09E S21 SWNE 39.0

T05S R09E S21 SENE 40.0  
T05S R09E S21 NESE 40.0  
T05S R09E S21 NWSE 40.0  
T05S R09E S21 SWSE 40.0  
T05S R09E S21 SESE 40.0  
T05S R09E S28 NWNE 40.0

933 ACRES TOTAL

~~613 ACRES TOTAL~~

USE OF THIS RIGHT WITH RIGHT NO. 61-2107B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 313 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-2107B, 61-4079 AND 61-4123C.

THE APPROPRIATOR MUST, BY JUNE 10 OF EACH YEAR, IDENTIFY IN WRITING TO IDWR THE PARTICULAR 360 ACRES TO BE IRRIGATED DURING THE IRRIGATION SEASON PURSUANT TO TRANSFER 67120.

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-2107B, 61-4079~~

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE  
NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE  
ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER 67120 WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

**EXPLANATORY MATERIAL:** BASIS OF CLAIM - License

RIGHTS 61-2107B, 61-2228B, 61-4079 AND 61-4123C ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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. 61-D.

THE STORAGE OF WATER UNDER THIS RIGHT IS CONTINGENT UPON CONTINUED CERTIFICATION BY THE DEPARTMENT OF WATER RESOURCES UNDER THE DAM SAFETY PROVISIONS OF THE IDAHO CODE, AUTHORIZING STORAGE.

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.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

~~THE APPROPRIATOR MUST, BY JUNE 10 OF EACH YEAR, IDENTIFY IN WRITING TO IDWR THE PARTICULAR 313 ACRES TO BE IRRIGATED DURING THE IRRIGATION SEASON PURSUANT TO THIS RIGHT.~~

COPY

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS ACQUIRED UNDER STATE LAW  
DISTRICT COURT SRBA  
TWIN FALLS CO., IDAHO  
FILED

RECEIVED  
NOV 17 2003  
Department of Water Resources

2003 NOV 13 AM 11 37

RIGHT NUMBER: 61-4079

NAME AND ADDRESS:

ALICE TRAIL  
RT 1 BOX 66  
KING HILL ID 83633

LEE T TRAIL  
RT 1 BOX 66  
KING HILL ID 83633

SOURCE:

Source:

LITTLE CANYON CREEK

Tributary:

SNAKE RIVER

QUANTITY:

0.710 CFS 141.000 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 61-02228B SHALL NOT EXCEED  
1266 AF OF STORAGE.

PRIORITY DATE:

04/01/1967

POINT OF DIVERSION:

T04S R10E S29 NENE  
Within ELMORE County

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use: Quantity:

IRRIGATION

3/15 11/15

0.710 CFS

IRRIGATION STORAGE

1/01 12/31

141.00 AFY

IRRIGATION FROM STORAGE

3/15 11/15

141.00 AFY

PLACE OF USE:

IRRIGATION

within County

IRRIGATION FROM STORAGE within ELMORE County

T05S R09E S16 NENE 35.0

T05S R09E S16 NWNE 40.0

T05S R09E S16 SWNE 41.0

T05S R09E S16 SENE 32.0

T05S R09E S16 NENW 40.0

T05S R09E S16 NWNW 40.0

T05S R09E S16 SWNW 40.0

T05S R09E S16 SENW 40.0

T05S R09E S16 NESW 40.0

T05S R09E S16 NWSW 40.0

T05S R09E S16 SWSW 40.0

T05S R09E S16 SESW 40.0

T05S R09E S16 NESE 29.0

T05S R09E S16 NWSE 41.0

T05S R09E S16 SWSE 41.0

T05S R09E S16 SESE 35.0

T05S R09E S21 NENE 40.0

T05S R09E S21 SWNE 39.0

T05S R09E S21 SENE 40.0  
T05S R09E S21 NESE 40.0  
T05S R09E S21 NWSE 40.0  
T05S R09E S21 SWSE 40.0  
T05S R09E S21 SESE 40.0  
T05S R09E S28 NWNE 40.0

IRRIGATION same as IRRIGATION FROM STORAGE

933 ACRES TOTAL

~~613 ACRES TOTAL~~

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-2107B, 61-2228B AND 61-4123C.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 47 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE APPROPRIATOR MUST, BY JUNE 10 OF EACH YEAR, IDENTIFY IN WRITING TO IDWR THE PARTICULAR 360 ACRES TO BE IRRIGATED DURING THE IRRIGATION SEASON PURSUANT TO TRANSFER 67120.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 47 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-02107B, 61-02228B.~~

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE  
NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE  
ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER 67120 WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

**EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use**

RIGHTS 61-2107B, 61-2228B, 61-4079 AND 61-4123C ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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. 61-D.

THE STORAGE OF WATER UNDER THIS RIGHT IS CONTINGENT UPON CONTINUED CERTIFICATION BY THE DEPARTMENT OF WATER RESOURCES UNDER THE DAM SAFETY PROVISIONS OF THE IDAHO CODE, AUTHORIZING STORAGE.

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.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.