

COPY

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

2004 FEB 2 AM 10 32

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: 65-2897

Split into: 65-22859 & 65-22860

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

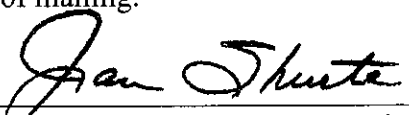
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ 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: January 29, 2004



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 29, 2004, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Jack Horton *(Former Owner)*
19501 Jackknife
Ola ID 83657

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Elvin C Schmelzer *(Current Owner)*
HC 78 Box 3839
Ola ID 83657

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Betty Lue Schmelzer *(Current Owner)*
5315 Montour Rd
Emmett ID 83617

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Western Ranch Equities LLC (*Current Owner*)
20 Walden Ct
York PA 17404

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

2004 FEB 2 AM 10 32

RECEIVED
01/29/2004
FILED 01/29/2003
Department of Water Resources
Adjudication Bureau

RIGHT NUMBER: 65-22859

NAME AND ADDRESS: BETTY LUE SCHMELZER
5315 MONTOUR RD
EMMETT ID 83617

ELVIN C SCHMELZER
HC 78 BOX 3839
OLA ID 83657

SOURCE: SQUAW CRBEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.020 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-3099 SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/09/1967

POINT OF DIVERSION:

T09N R01E S3 SWSE Within GEM County
T09N R01E S3 SESE Within GEM County
T09N R01E S10 NENE Within GEM County
T09N R01E S10 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.020 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T09N R01E S10 SENE 2.0

2 ACRES TOTAL

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: Decreed

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

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

01/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

FILED
2004 FEB 2 AM 10 32

RIGHT NUMBER: 65-22860

NAME AND ADDRESS: WESTERN RANCH EQUITIES LLC
20 WALDEN CT
YORK PA 17404

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.810 CFS
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-3099 SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/09/1967

POINT OF DIVERSION:
T09N R01E S3 SWSE Within GEM County
T09N R01E S3 SESE Within GEM County
T09N R01E S10 NENE Within GEM County
T09N R01E S10 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.810 CFS

PLACE OF USE: IRRIGATION Within GEM County

T09N R01E S03	NWSE	1.0	T09N R01E S03	SWSE	5.0
T09N R01E S03	SESE	22.0	T09N R01E S10	NENE	29.0
T09N R01E S10	NWNE	6.0	T09N R01E S10	SWNE	2.0
T09N R01E S11	NWNW	16.0			

81 ACRES TOTAL

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: Decreed

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