

COPY

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

2004 MAR 12 AM 10 00

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: 65-7817

)

Case No. 39576

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

)

)

IDWR has completed the following administrative proceeding:

☐

Address change

XX Substitution of Party (Ownership Change is separate from Transfer)

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 – Conditions & Remarks

☐

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: March 10, 2004


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 10, 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
Off ice 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

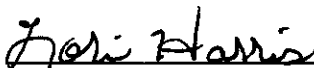
3. Copies to all parties to the subcase:

Black Canyon Partners LLC
124 W Main St. #D
Emmett, ID 83617

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

Ronald L. Kuenzli
Ida Marie Kuenzli
PO Box 284
Star, ID 83669

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



Signature of person mailing this document

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 MAR 12 AM 10 00

RIGHT NUMBER: 65-7817

NAME AND ADDRESS:

BLACK CANYON PARTNERS LLC
124 W MAIN ST, SUITE D
EMMETT ID 83617

IDA M KUENZLI
PO BOX 284
STAR ID 83669

RONALD L KUENZLI
PO BOX 284
STAR ID 83669-0284

SOURCE: Source:
PAYETTE RIVER

Tributary:
SNAKE RIVER

QUANTITY: 0.620 CFS 139.500 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.81 CFS. COMBINED RIGHT NOS.: 65-02633
AND 65-11363.

PRIORITY DATE: 01/26/1977

POINT OF DIVERSION:

T07N R01E S19 SESW Lot 4
Within GEM County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	3/15 11/15	0.620 CFS 139.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 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: IRRIGATION within GEM County

~~T07N R01E S19 SWNE Lot 2-3.0~~
~~T07N R01E S19 NESW Lot 3-7.0~~
~~T07N R01E S19 NWSE 15.0~~
T07N R01E S19 NWSE 25.0
T07N R01E S19 SWSE 6.0

31 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: BASIS OF CLAIM - License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02633 AND 65-11363.

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. 65.

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 Transfer 70882 is cause for the Director to rescind approval of the transfer.