

JUN 24 2004

COPY

DEPARTMENT OF
WATER RESOURCES

JUN 22 AM 9:58

CLERK
TWIN FALLS CO., IDAHO
FILED

**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: 35-2501, 35-2575, 35-
2595, 35-7784

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ 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: 18 June 2004


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 14, 2004, 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:
CANNON-SHELLEY PROPERTY LIMITED PARTNERSHIP
1470 N 750 E
SHELLEY ID 83274

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MICKELSEN PROPERTIES, LLC
1050 W RIVERVIEW DR
IDAHO FALLS ID 83401

4. One copy to:

Each party in the subcase, or attorney of record
JEFFREY C FEREDAY
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701

JERRY RIGBY
RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
PO BOX 250
REXBURG ID 83440

JOHN K SIMPSON
ROSHOLT ROBERTSON & TUCKER
PO BOX 2139
BOISE ID 83701

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

Kristen Frazee

Signature of person or attorney mailing the form

06/18/2004

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

RIGHT NUMBER: 35-2501

NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 WEST RIVERVIEW DRIVE
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.160 CFS
1,280.00 AFY

PRIORITY DATE: 04/24/1957

POINT OF
DIVERSION: T04N R37E S33 SENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
4.160 CFS
1,280.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S33	NENE	40.0	T04N R37E S33	NWNE	40.0
T04N R37E S33	SWNE	40.0	T04N R37E S33	SENE	40.0
T04N R37E S33	NENW	40.0	T04N R37E S33	NWNW	40.0
T04N R37E S33	SWNW	40.0	T04N R37E S33	SENW	40.0

320 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

06/18/2004

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

RIGHT NUMBER: 35-2575

NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 WEST RIVERVIEW DRIVE
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.390 CFS
1,280.00 AFY

PRIORITY DATE: 04/15/1959

POINT OF
DIVERSION: T04N R37E S33 NESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
4.390 CFS
1,280.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S33	NESW	40.0	T04N R37E S33	NWSW	40.0
T04N R37E S33	SWSW	40.0	T04N R37E S33	SESW	40.0
T04N R37E S33	NESE	40.0	T04N R37E S33	NWSE	40.0
T04N R37E S33	SWSE	40.0	T04N R37E S33	SESE	40.0

320 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

06/18/2004

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

RIGHT NUMBER: 35-2595

NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 WEST RIVERVIEW DRIVE
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.290 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07784 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.43 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1100 AF.

PRIORITY DATE: 05/13/1960

POINT OF
DIVERSION: T04N R37E S28 SWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
2.290 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S28	NESW	40.0	T04N R37E S28	SWSW	35.0
T04N R37E S28	SESW	40.0	T04N R37E S28	NESE	40.0
T04N R37E S28	NWSE	40.0	T04N R37E S28	SWSE	40.0
T04N R37E S28	SESE	40.0			

275 ACRES TOTAL

06/18/2004

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

USE OF THIS RIGHT WITH RIGHT NO. 35-07784 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 275 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 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 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 NO. 35-07784 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

06/18/2004

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

RIGHT NUMBER: 35-7784

NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 WEST RIVERVIEW DRIVE
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.210 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02595 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.43 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1100 AF.

PRIORITY DATE: 02/07/1978

POINT OF
DIVERSION: T04N R37E S28 SWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
3.210 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T04N R37E S28	NESW	40.0	T04N R37E S28	SWSW	35.0
T04N R37E S28	SESW	40.0	T04N R37E S28	NESE	40.0
T04N R37E S28	NWSE	40.0	T04N R37E S28	SWSE	40.0
T04N R37E S28	SESE	40.0			

275 ACRES TOTAL

06/18/2004

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

USE OF THIS RIGHT WITH RIGHT NO. 35-02595 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 275 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 NO. 35-02595 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.