

COPY

RECEIVED

AUG 04 2004

DEPARTMENT OF
WATER RESOURCES

2004 AUG -2 PM 2: 57

FILED
TWIN FALLS CO., IDAHO

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

) Subcase No. 36-16123, 36-16218,
) 36-16219

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

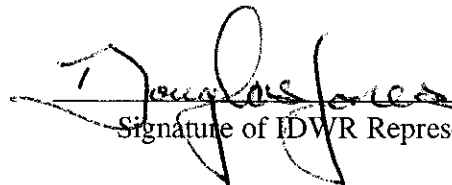
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☒Yes ☐No

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: 8/2/04


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/2, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Vernon Phillips
Marilyn Phillips
282 N 750 W
Paul ID 83347
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Glanbia Foods
1373 Fillmore St
Twin Falls ID 83301
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

7/6/04

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

RIGHT NUMBER: 36-16123

SPLIT RIGHT: SEE RIGHT NOS. 36-16218 and 36-16219.

07/06/2004

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

RIGHT NUMBER: 36-16218

NAME AND ADDRESS: MARILYN L PHILLIPS
282 N 750 W
PAUL ID 83347

VERNON C PHILLIPS
282 N 750 W
PAUL ID 83347

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
447.20 AFY

RIGHTS 36-16212, 36-16214, 36-16216 AND 36-16218 ARE LIMITED TO
COMBINED DIVERSION RATE OF 1.37 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 447.2 AF.

PRIORITY DATE: 05/26/1971

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF

DIVERSION: T08S R21E S24 NESESW Within JEROME County
T08S R21E S24 NENESE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.090 CFS 447.20 AFY

PLACE OF USE: IRRIGATION Within JEROME County

T08S R21E S24	NESE	3.0	T08S R21E S24	NWSE	28.8
T08S R21E S24	SWSE	40.0	T08S R21E S24	SESE	40.0

111.8 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7.6 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND
WHEN COMBINED WITH RIGHTS 36-16212, 36-16214 AND 36-16216 IS
LIMITED TO 111.8 ACRES.

07/06/2004

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

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS.
36-16212 AND 36-16214 PURSUANT TO SECTION 42-1426, IDAHO
CODE.

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

RIGHTS 36-16212, 36-16213, 36-16214, 36-16215, 36-16216, 36-16217,
36-16218 AND 36-16219 ARE DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 7.6 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-16123.

07/06/2004

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

RIGHT NUMBER: 36-16219

NAME AND ADDRESS: GLANBIA FOODS
1373 FILLMORE ST
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.330 CFS
1,600.00 AFY

RIGHTS 36-16213, 36-16215, 36-16217 AND 36-16219 ARE LIMITED TO
COMBINED DIVERSION RATE OF 4.92 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1600.0 AF.

PRIORITY DATE: 05/26/1971

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF
DIVERSION: T08S R21E S24 NESESW Within JEROME County
T08S R21E S24 NENESE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.330 CFS 1,600.00 AFY

PLACE OF USE: IRRIGATION Within JEROME County

T08S R21E S24	NESW	40.0	T08S R21E S24	SESW	40.0
T08S R21E S24	NESE	32.8	T08S R21E S24	NWSE	11.2
T08S R21E S25	NENE	40.0	T08S R21E S25	NWNE	40.0
T08S R21E S25	SWNE	31.0	T08S R21E S25	NENW	40.0
T08S R22E S25	SENE	20.0	T08S R22E S25	SENW	14.0
T08S R22E S30 Lot 1	NWNW	40.0	T08S R22E S30 Lot 2	SWNW	35.0
T08S R22E S30 Lot 3	NWSW	16.0			

400 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.3 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND
WHEN COMBINED WITH RIGHTS 36-16213, 36-16215 AND 36-16217 IS
LIMITED TO 400.0 ACRES.

07/06/2004

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

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS.
36-16213 AND 36-16215 PURSUANT TO SECTION 42-1426, IDAHO
CODE.

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

RIGHTS 36-16212, 36-16213, 36-16214, 36-16215, 36-16216, 36-16217,
36-16218, AND 36-16219 ARE DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 27.3 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-16123.