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AUG 04 2004

DEPARTMENT OF
WATER RESOURCES

2004 AUG -3 PM 2:38

DISTRICT COURT-SRDA
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

Case No. 39576

) Subcase No. 43-13108, 43-13110,
) 43-13112, 43-13114, 43-13356

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

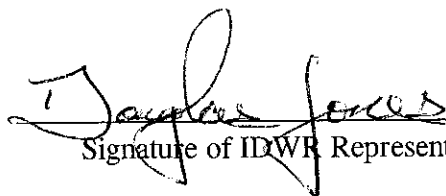
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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 8/3, 2004, I mailed the original and c opies 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:
J Max Jones
Diane Jones
2060 E 1000 S
Declo ID 83323
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Gary Harper
Susan Harper
2040 E 850 S
Malta ID 83342
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

07/28/2004

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

RIGHT NUMBER: 43-13108

NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO ID 83323

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323

DIANE D JONES
2060 E 1000 S
DECLO ID 83323

J MAX JONES
2060 E 1000 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.380 CFS
476.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 01/03/1949

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.380 CFS 476.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	SWNE	38.0	T12S R26E S11	SWNW	40.0
T12S R26E S11	SENW	28.0	T12S R26E S11	NESW	40.0
T12S R26E S11	NWSW	40.0	T12S R26E S11	SWSW	29.0
T12S R26E S11	SESW	38.0	T12S R26E S11	NWSE	9.0
T12S R26E S11	SWSE	29.0			

291 ACRES TOTAL

07/28/2004

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112,
43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 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. 43-13356 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS.
PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 43-13108, 43-13110,
43-13112, & 43-13114.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2332.

07/28/2004

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

RIGHT NUMBER: 43-13110
NAME AND ADDRESS: DIANE D JONES
2060 E 1000 S
DECLO ID 83323

J MAX JONES
2060 E 1000 S
DECLO ID 83323

GARY B HARPER
2040 E 850 S
DECLO ID 83323

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.230 CFS
580.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-13112 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.42 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 580 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 01/14/1954

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.230 CFS 580.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	SWNE	38.0	T12S R26E S11	SWNW	40.0
T12S R26E S11	SENW	28.0	T12S R26E S11	NESW	40.0
T12S R26E S11	NWSW	40.0	T12S R26E S11	SWSW	29.0
T12S R26E S11	SESW	38.0	T12S R26E S11	NWSE	9.0
T12S R26E S11	SWSE	29.0			

291 ACRES TOTAL

07/28/2004

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112,
43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 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. 43-13356 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS.
PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 43-13108, 43-13110,
43-13112, & 43-13114.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2402.

07/28/2004

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

RIGHT NUMBER: 43-13112

NAME AND ADDRESS: J MAX JONES
2060 E 1000 S
DECLO ID 83323

DIANE D JONES
2060 E 1000 S
DECLO ID 83323

GARY B HARPER
2040 E 850 S
DECLO ID 83323

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.230 CFS
548.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-13110 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.42 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 580 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 10/05/1959

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.230 CFS 548.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	SWNE	38.0	T12S R26E S11	SWNW	40.0
T12S R26E S11	SENE	28.0	T12S R26E S11	NESW	40.0
T12S R26E S11	NWSW	40.0	T12S R26E S11	SWSW	29.0
T12S R26E S11	SESW	38.0	T12S R26E S11	NWSE	9.0
T12S R26E S11	SWSE	29.0			

291 ACRES TOTAL

07/28/2004

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

USE OF THIS RIGHT WITH RIGHT NO. 43-13110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112, 43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 137 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. 43-13356 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS. PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 43-13108, 43-13110, 43-13112, & 43-13114.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-2478.

07/28/2004

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

RIGHT NUMBER: 43-13114

NAME AND ADDRESS: J MAX JONES
2060 E 1000 S
DECLO ID 83323

DIANE D JONES
2060 E 1000 S
DECLO ID 83323

GARY B HARPER
2040 E 850 S
DECLO ID 83323

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
72.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 03/15/1962

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.230 CFS 72.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	SWNE	38.0	T12S R26E S11	SWNW	40.0
T12S R26E S11	SENW	28.0	T12S R26E S11	NESW	40.0
T12S R26E S11	NWSW	40.0	T12S R26E S11	SWSW	29.0
T12S R26E S11	SESW	38.0	T12S R26E S11	NWSE	9.0
T12S R26E S11	SWSE	29.0			

291 ACRES TOTAL

07/28/2004

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112,
43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 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 - Beneficial Use

RIGHT NO. 43-13356 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS.
PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 43-13108, 43-13110,
43-13112, & 43-13114.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-10150A.

07/28/2004

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

RIGHT NUMBER: 43-13356

NAME AND ADDRESS: J MAX JONES
2060 E 1000 S
DECLO ID 83323

DIANE D JONES
2060 E 1000 S
DECLO ID 83323

GARY B HARPER
2040 E 850 S
DECLO ID 83323

SUSAN C HARPER
2040 E 850 S
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.120 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.8 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1128 AF. COMBINED RIGHT NOS.: 43-13108,
43-13110, 43-13112, 43-13114, & 43-13356.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION: T12S R26E S11 SESENW Within CASSIA County
T12S R26E S11 SWSWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.120 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R26E S10	SWNE	38.0	T12S R26E S11	SWNW	40.0
T12S R26E S11	SENW	28.0	T12S R26E S11	NESW	40.0
T12S R26E S11	NWSW	40.0	T12S R26E S11	SWSW	29.0
T12S R26E S11	SESW	38.0	T12S R26E S11	NWSE	9.0
T12S R26E S11	SWSE	29.0			

291 ACRES TOTAL

07/28/2004

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 291 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-423A, 43-13108, 43-13110, 43-13112,
43-13114, & 43-13356.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 68 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.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-13108, 43-13110,
43-13112, & 43-13114 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 43-13116.