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Department of Water Resources

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DISTRICT COURT-SRBA
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: 35-7191

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party HORSCH – BURUSCO FARM PARTNERSHIP
- ☐ 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: July 23, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 26, 2002, 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:
ALBERT & SHIRLEY HORSCH
2711 W 1800 S
ABERDEEN ID 83210

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
BURUSCO FARM PARTNERSHIP
C/O JOHN BURUSCO
2445 W 1700 S
ABERDEEN ID 83210

4. One copy to:

Each party in the subcase, or attorney of record
ROGER LING
LING NIELSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

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


Signature of person or attorney mailing the form

07/22/2002

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

RIGHT NUMBER: 35-7191
NAME AND ADDRESS: BURUSCO FARM PARTNERSHIP
C/O JOHN BURUSCO
2445 W 1700 S
ABERDEEN ID 83210

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SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.840 CFS
857.60 AFY

PRIORITY DATE: 11/02/1971

POINT OF
DIVERSION: T06S R31E S9 SENWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/15	3.840 CFS 857.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS
LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER AFTER OCTOBER 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 BINGHAM County

T06S R31E S09	NESW	13.9	T06S R31E S09	SWSW	13.5
T06S R31E S09	SESW	34.5	T06S R31E S09	NESE	37.5
T06S R31E S09	NWSE	39.0	T06S R31E S09	SWSE	38.0
T06S R31E S09	SESE	38.0			

214.4 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

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN
SPRINGFIELD CANAL CO.