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Department of Water Resources

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2002 MAY 20 AM 11:25

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: 35-7575 split into
35-13316, 35-13317 & 35-12915

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 **69279**
 - ☒ 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: May 16, 2002

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 17, 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:
CHARLES & MARIE WELLS
PO BOX 104
ROBERTS ID 83444

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
DAVID W ROBISON
2760 E 800 N
ROBERTS ID 83444

4. One copy to:

Each party in the subcase, or attorney of record
JOHN SIMPSON JEFFREY FEREDAY
PO BOX 2139 PO BOX 2720
BOISE ID 83701 BOISE ID 83701

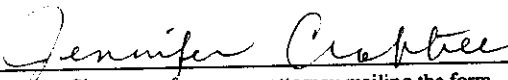
JERRY RIGBY
PO BOX 250
REXBURG ID 83440

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

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2002 MAY 20 AM 11:25

RIGHT NUMBER: 35-7575

Split Right: See Nos. 35-13316 & 35-13317

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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05/15/2002

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

2002 MAY 20 AM 11:25

RIGHT NUMBER: 35-13316
NAME AND ADDRESS: CHARLES B WELLS
PO BOX 104
ROBERTS ID 83444

MARIE WELLS
PO BOX 104
ROBERTS ID 83444

CREATED BY TRANSFER 69279

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: GROUND WATER
QUANTITY: 7.82 CFS
1,560.0 AFY

TRIBUTARY:

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2120 AF. COMBINED RIGHT NOS.: 35-12915, 35-13316

PRIORITY DATE: 01/27/1976

POINT OF DIVERSION:

T05N R36E S31 SENWNE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	7.820 CFS 1,560.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R36E S31	NENE	29.0	T05N R36E S31	NWNE	33.0
T05N R36E S31	SWNE	35.0	T05N R36E S31	SENE	37.0
T05N R36E S31	NENW	34.0	T05N R36E S31 Lot 1	NWNW	33.0
T05N R36E S31 Lot 2	SWNW	36.0	T05N R36E S31	SENW	35.0
T05N R36E S31	NESW	37.0	T05N R36E S31 Lot 3	NWSW	34.0
T05N R36E S31 Lot 4	SWSW	4.0	T05N R36E S31	SESW	5.0
T05N R36E S31	NESE	32.0	T05N R36E S31	NWSE	38.0
T05N R36E S32	NWNW	37.0	T05N R36E S32	SWNW	36.0
T05N R36E S32	NWSW	35.0			

530 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 390 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 530 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-12915, 35-13316

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: License

05/15/2002

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

THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT DIVERSIONS OF WATER AND/OR OTHER PERTINENT HYDROLOGIC AND SYSTEM INFORMATION AS REQUIRED BY SECTION 42-701, IDAHO CODE.

RIGHT NO. 35-12915 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT 35-12915 IS ALSO DIVERTED THROUGH THE POINT(S) OF DIVERSION DESCRIBED ABOVE.

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 35-7575.

05/15/2002

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

2002 MAY 20 AM 11:25

RIGHT NUMBER: 35-13317
NAME AND ADDRESS: DAVID W ROBISON
2760 E 800 N
ROBERTS ID 83444

CREATED BY TRANSFER 69279

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: GROUND WATER
QUANTITY: 0.04 CFS
9.0 AFY

TRIBUTARY:

PRIORITY DATE: 01/27/1976

POINT OF DIVERSION:

T05N R37E S30 NWNE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS
9.00 AFY

PLACE OF USE: COMMERCIAL Within JEFFERSON County
T05N R37E S30 NWNE

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: License

COMMERCIAL USE IS FOR A LODGE AND RECREATIONAL VEHICLE PARK.
RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION
42-235, IDAHO CODE.
THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER 69279
BY DEC 28, 2002.
FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF TRANSFER
69279 IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.
ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN
THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 35-07575

05/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW 2002 MAY 20 AM 11: 25

RIGHT NUMBER: 35-12915
 NAME AND ADDRESS: CHARLES B WELLS
 PO BOX 104
 ROBERTS ID 83444

MODIFIED BY TRANSFER 69079

DISTRICT COURT-SRBA
 TWIN FALLS CO., IDAHO
 FILED

MARIE WELLS
 PO BOX 104
 ROBERTS ID 83444

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.06 CFS
 560.0 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
 RATE OF 7.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
 2120 AF. COMBINED RIGHT NOS.: 35-12915, 35-13316

PRIORITY DATE: 10/31/1986

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:

T05N R36E S31 SENWNE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
 IRRIGATION

PERIOD OF USE
 4/01 10/31

QUANTITY
 2.060 CFS
 560.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T05N R36E S31	NENE	29.0	T05N R36E S31	NWNE	33.0
T05N R36E S31	SWNE	35.0	T05N R36E S31	SENE	37.0
T05N R36E S31	NENW	34.0	T05N R36E S31 Lot 1	NWNW	33.0
T05N R36E S31 Lot 2	SWNW	36.0	T05N R36E S31	SENW	35.0
T05N R36E S31	NESW	37.0	T05N R36E S31 Lot 3	NWSW	34.0
T05N R36E S31 Lot 4	SWSW	4.0	T05N R36E S31	SESW	5.0
T05N R36E S31	NESE	32.0	T05N R36E S31	NWSE	38.0
T05N R36E S32	NWNW	37.0	T05N R36E S32	SWNW	36.0
T05N R36E S32	NWSW	35.0			

530 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
 TOTAL OF 530 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
 35-12915, 35-13316

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 BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-13316
 PURSUANT TO SECTION 42-1426, IDAHO CODE.

05/15/2002

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

EXPLANATORY MATERIAL: Beneficial Use

THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT DIVERSIONS OF WATER AND/OR OTHER PERTINENT HYDROLOGIC AND SYSTEM INFORMATION AS REQUIRED BY SECTION 42-701, IDAHO CODE.

RIGHT NO. 35-13316 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.