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Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

COPY

OCT - 3 2002

By _____ Clerk

Deputy Clerk

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

Water Rights: 65-1131B, 65-1131C

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

☐ Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

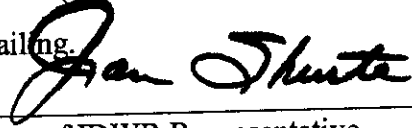
XX Other - Conditions & Remarks

☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: September 30, 2002


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 30, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Unimin Corporation
4601 Cascade Rd.
Emmett, ID 83617

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Richard A. Cummings
PO Box 1545
Boise, ID 83701

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

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

DISTRICT COURT-SREA Fifth Judicial District County of Twin Falls, State of Idaho	
COPY	
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By _____	Clerk _____
_____	Deputy Clerk _____

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Department of Water Resources

RIGHT NUMBER: 65-1131B

NAME AND ADDRESS:

UNIMIN CORPORATION
4601 CASCADE RD
EMMETT ID 83617

SOURCE: PAYETTE RIVER

Tributary: SNAKE RIVER

QUANTITY: 0.260 CFS 58.500 AFY ~~0.000 AFY~~

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

RIGHTS 65-1131B AND 65-1131C WHEN COMBINED SHALL NOT EXCEED A TOTAL IRRIGATION OF 67 ACRES.

PRIORITY DATE: 10/05/1875

POINT OF DIVERSION:

T06N R01W S7 NW1/4 Lot 3 Within GEM County

T06N R02W S12 SENW Lot 6 Within GEM County

RIGHTS 65-1131C AND 65-12832 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	03/15 11/15	0.260 CFS 58.50 AFY

PLACE OF USE: IRRIGATION within GEM County

T06N R02W S11 NESE Lot 8 1.3

T06N R02W S11 NWSE Lot 7 3.3

T06N R02W S11 SWSE 38.0

T06N R02W S11 SESE 24.4

T06N R02W S11 NWSE Lot 7 2.0

T06N R02W S11 SWSE 11.0

67 ACRES TOTAL

13 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 13 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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL OR 9/20/03.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT DOES NOT GRANT ANY RIGHT-OF-WAY OR EASEMENT ACROSS THE LAND OF ANOTHER. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN A WATER DISTRICT. AT THE TIME OF THIS APPROVAL, THIS WATER RIGHT IS WITHIN STATE WATER DISTRICT NO. 65.

THE RIGHT HOLDER SHALL MAINTAIN A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE APPROVED BY THE DEPARTMENT IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.