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Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
COPY
OCT - 7 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: 65-2590E

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ 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: October 4, 2002


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 4, 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

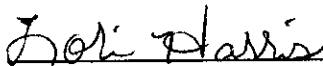
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

James E. Peterson
Judith Ann Peterson
Peterson Family Trust
11725 N. Hwy. 52
Horseshoe Bend, ID 83629

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

☐ 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
Fifth Judicial District
County of Twin Falls - State of Idaho

COPY

OCT - 7 2002

By _____ Clerk

Deputy Clerk

RIGHT NUMBER: 65-2590E

NAME AND ADDRESS:

JAMES E PETERSON
11725 N HWY 52
HORSESHOE BEND ID 83629

JUDITH ANN PETERSON
11725 N HWY 52
HORSESHOE BEND ID 83629

PETERSON FAMILY TRUST
11725 N HWY 52
HORSESHOE BEND ID 83629

SOURCE: PAYETTE RIVER Tributary: SNAKE RIVER

QUANTITY: 0.200 CFS 45.000 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.

PRIORITY DATE: 04/19/1954

POINT OF DIVERSION:

T07N R01E S24 SWSE Lot 1 Within GEM County

~~T07N R01E S25 NESE Lot 1 Within GEM County~~

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 11/01	0.200 CFS 45.00 AFY

PLACE OF USE: IRRIGATION within GEM County

T07N R01E S24 SWSE Lot 1 10.0

~~T07N R01E S24 SESE Lot 1 10.0~~

10 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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL OR 9/30/03.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

A LOCKABLE DEVICE SUBJECT TO THE APPROVAL OF THE DEPARTMENT SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

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.

WHEN WATER IS NOT AVAILABLE TO FILL THIS RIGHT, THE RIGHT HOLDER SHALL CEASE DIVERSION, SHALL RENT WATER FROM THE PAYETTE RIVER RENTAL POOL, OR SHALL OTHERWISE MITIGATE THE DEPLETION OF WATER CAUSED BY THIS WATER USE.