

35

NWSW

NESW

SWSW

SESW

35

3

2

NENE

NWNW

SWNW

06/28/2001

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

RIGHT NUMBER: 31-11714
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 834420097

SOURCE: BEAVER CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.540 CFS
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF .75 CFS. COMBINED RIGHT NOS.: 31-11710, 31-11712, 31-11714

PRIORITY DATE: 05/01/1898

POINT OF
DIVERSION:
T13N R36E S35 NESW Within CLARK County
T13N R36E S35 NWNESW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.540 CFS

PLACE OF USE: IRRIGATION Within CLARK County

T12N R36E S02 Lot 6 NWNW	5.6	T12N R36E S02	SWNW	2.7	
T12N R36E S03 Lot 1 NENE	2.3	T13N R36E S35	NESW	0.1	
T13N R36E S35	NWSW	9.6	T13N R36E S35	SWSW	4.1
T13N R36E S35	SESW	7.0			

31.4 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 31.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
31-11710, 31-11712, 31-11714

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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-285

A311714



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:

31-179 split into 31-11709, 31-11710

31-180 split into 31-11711, 31-11712

31-285 split into 31-11713, 31-11714

Case No. 39576

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SUTTON – SUTTON & D.O.T.
- ☐ 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 3, 2001

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 13, 2001, 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:
STANLEY SUTTON
578 E 7000 S
REXBURG ID 83440

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
STANLEY SUTTON STATE OF IDAHO
578 E 7000 S DEPT OF TRANSPORTATION
REXBURG ID 83440 PO BOX 97
RIGBY ID 83442-0097

4. One copy to:

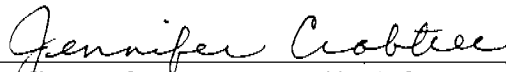
Each party in the subcase, or attorney of record
N/A

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM COLE DISTRICT ENGINEER
STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: Notice of Change of Water Right Ownership (NCO) for
31-179, 31-180, 31-285 and Notice of Completed Administrative
Proceeding (NCAP)

Dear Mr. Cole:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>31-179</u>	<u>31-179</u>	<u>Y</u>	_____	_____	_____
<u>31-180</u>	<u>31-180</u>	<u>Y</u>	_____	_____	_____
<u>31-285</u>	<u>31-285</u>	<u>Y</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

STANLEY SUTTON 578 E. 7000 S.
REXBURG, ID. 83440

4. New Owner/Claimant(s)

STATE OF IDAHO, DEPT. OF TRANSPORTATION
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 97

City, State and ZIP Code

RIGBY, IDAHO 83442

New Telephone Number

(208) 745-7781

5. Date you acquired the property

MAY 22, 1989

RECEIVED
 JUL 11 2001
 DEPARTMENT OF WATER RESOURCES
 BOISE, IDAHO

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	31-179 For 0.11 cfs	31 ACRES
~~Stock~~	31-180 for 0.10 cfs	31 ACRES
~~Domestic~~	31-285 for 0.53 cfs	31 ACRES
Other	0.74 cfs	31 ACRES
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
 (If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) TOM COLE, DISTRICT ENGINEER

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

100-11110
 100-11111
 100-11112

