

03/17/2003

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

RIGHT NUMBER: 31-11786

NAME AND ADDRESS: PAULO J BRASSANINI
PO BOX 104
TERRETON ID 83450

KAREN ANN BRASSANINI
PO BOX 104
TERRETON ID 83450

3111786



SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.480 CFS
259.000 AFY

PRIORITY DATE: 09/07/1971

POINT OF DIVERSION:

T05N R35E S17 SWSEW Within JEFFERSON County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
1.480 CFS
259.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R35E S08 SWNW 36.0 T05N R35E S08 NWSW 38.0

74 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: License

The following rights are also diverted through the point of diversion described above: 31-7054D and 31-10515.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-7054C.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2003

PAULO & KAREN ANN BRASSANINI
PO BOX 104
TERRETON ID 83450

RE: Transfer #70153 (water right 31-7054C) and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Brassanini:

On March 5, 2003, the Idaho Department of Water Resources (IDWR) approved Transfer #70153, modifying a portion of the above referenced water right(s). Based on this transfer, 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.

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,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree

Technical Records Specialist

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: 31-7054C split into
~~31-11786~~ & 31-11787

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 **70153**
 - ☒ 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: 27 March 2003



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 27, 2003, 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:
PORT OF ENTRY TRAVEL CENTER LLC
PO BOX 2895
NORRIS MT 59745

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
PAULO & KAREN ANN BRASSANINI
PO BOX 104
TERRETON ID 83450

4. One copy to:

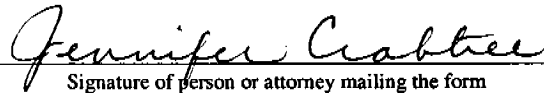
Each party in the subcase, or attorney of record
KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

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

WATER RIGHT NO. 31-11786
As Modified by Transfer No. 70153

In accordance with the approval of Transfer No. 70153, Water Right No. 31-11786 is now described as follows.

Right Holder: PAULO J BRASSANINI And
KAREN ANN BRASSANINI
PO BOX 104
TERRETON ID 83450

Priority Date: September 07, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.48 CFS	259.0 AF
			1.48 CFS	259.0 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SWSNW Sec. 17 Twp 05N Rge 35E JEFFERSON
County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 35E 8							36.0				38.0						74.0

Total Acres: 74

CONDITIONS OF APPROVAL

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. The following rights are also diverted through the point of diversion described above: 31-7054D and 31-10515.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 5th day of March, 2003


Chief, Water Allocation Bureau