

COPY

2005 APR 20 AM 11:18

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)
Case No. 39576)
_____)
Subcase No: 45-176, 45-693, 45-13539
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

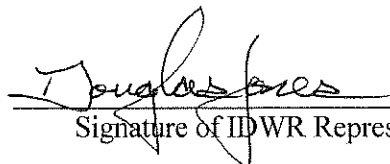
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

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: 3-9-05


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/20, 2005, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Michael Hunter
Kim Hunter
PO Box 187
Oakley ID 83346
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

02/15/2005

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

RIGHT NUMBER: 45-176

NAME AND ADDRESS: MICHAEL HUNTER
PO BOX 187
OAKLEY ID 83346

KIM HUNTER
PO BOX 187
OAKLEY ID 83346

SOURCE: LITTLE COTTONWOOD CREEK TRIBUTARY: SINKS
UNNAMED STREAM TRIBUTARY: LITTLE COTTONWOOD CREEK

QUANTITY: 2.400 CFS

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Use of this right with Right No. 45-693 is limited to a total combined diversion rate of 2.56 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.

PRIORITY DATE: 04/01/1876

POINT OF
DIVERSION: T13S R21E S36 SWSWNW Within CASSIA County
T13S R21E S36 SWSWNW Within CASSIA County
T14S R21E S9 SWSSEW Within CASSIA County
T14S R21E S11 SESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R21E S36	NENW	37.0	T13S R21E S36	NWNW	35.0
T13S R21E S36	SWNW	29.0	T13S R21E S36	SENW	37.0

138 ACRES TOTAL

02/15/2005

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

USE OF THIS RIGHT WITH RIGHT NO. 45-693 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring. This right includes up to 0.40 cfs of the water naturally flowing from Oakley Meadow Spring, per the original 1920 decree.

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 transfer 70618 by February 2, 2006.

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

02/15/2005

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

RIGHT NUMBER: 45-693

NAME AND ADDRESS: KIM HUNTER
PO BOX 187
OAKLEY ID 83346

MICHAEL HUNTER
PO BOX 187
OAKLEY ID 83346

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE COTTONWOOD CREEK

QUANTITY: 0.460 CFS

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Use of this right with Right No. 45-176 is limited to a total combined diversion rate of 2.56 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.

PRIORITY DATE: 05/01/1906

POINT OF
DIVERSION: T13S R21E S36 SWSNW Within CASSIA County
T13S R21E S36 SWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.460 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R21E S36	NENW	37.0	T13S R21E S36	NWNW	35.0
T13S R21E S36	SWNW	29.0	T13S R21E S36	SENW	37.0

138 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-176 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

02/15/2005

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring. This right is for water from Oakley Meadow Spring in excess of the 0.40 cfs of water naturally flowing from Oakley Meadow Spring under Right 45-176, per original 1920 decree.

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 transfer 70618 by February 2, 2006.

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

02/15/2005

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

RIGHT NUMBER: 45-13539

NAME AND ADDRESS: MICHAEL HUNTER
PO BOX 187
OAKLEY ID 83346

KIM HUNTER
PO BOX 187
OAKLEY ID 83346

SOURCE: LITTLE COTTONWOOD CREEK
UNNAMED STREAM

TRIBUTARY: SINKS
TRIBUTARY: LITTLE COTTONWOOD CREEK

QUANTITY: 0.050 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.

PRIORITY DATE: 05/12/1920

POINT OF
DIVERSION: T13S R21E S36 SWSWNW Within CASSIA County
T13S R21E S36 SWSWNW Within CASSIA County
T14S R21E S9 SWSESW Within CASSIA County
T14S R21E S11 SESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R21E S36	NENW	T13S R21E S36	NWNW
T13S R21E S36	SWNW	T13S R21E S36	SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring.

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.

02/15/2005

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

The right holder shall accomplish the change authorized by transfer
70618 by February 2, 2006.

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 - Beneficial Use