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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	)	Subcase No: 45-4270
	)	45-13763, 45-13764
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

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

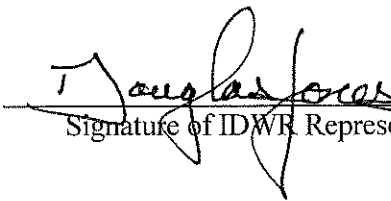
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ 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: 5/4/05



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/5, 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. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

H & S Farms Ltd Partnership
1687 S Hwy 27
Oakley ID 83346



Signature of person or attorney mailing the form

4/27/05

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

RIGHT NUMBER: 45-4270

SPLIT RIGHT: SEE RIGHT NOS. 45-13763 and 45-13764.

04/26/2005

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

RIGHT NUMBER: 45-13763

NAME AND ADDRESS: H & S FARMS LTD PARTNERSHIP
1687 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.030 CFS

Use of the rights listed below is limited to a total combined diversion rate of 3.46 cfs and to a total combined annual diversion volume of 986.8 af. Combined Right Nos. 45-13759, 45-13761 and 45-13763.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION: T13S R22E S16 SWSWSE Within CASSIA County
T13S R22E S16 SWSESE Within CASSIA County
T13S R22E S16 SESESE Within CASSIA County
T13S R22E S21 SESWSE 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	1.030 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S16	NENE	33.0	T13S R22E S16	NWNE	33.0
T13S R22E S16	SWNE	38.0	T13S R22E S16	SENE	38.0
T13S R22E S16	NESE	38.0	T13S R22E S16	NWSE	31.0
T13S R22E S16	SWSE	33.0	T13S R22E S16	SESE	32.0
T13S R22E S21	SWNE	22.0	T13S R22E S21	NWSE	29.0
T13S R22E S21	SWSE	24.0			

351 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 351 acres in a single irrigation season. Combined Right Nos. 45-13759, 45-13761 & 45-13763.

This right is limited to the irrigation of 104.3 acres within the place of use described above in a single irrigation season.

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

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.

04/26/2005

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 45-13763 is an expansion of Right Nos. 45-13759 and 45-13761 pursuant to Section 42-1416B, Idaho Code.

This right is a split from former Right 45-4270.

Use of this right is combined with water from the Oakley Canal Co.

04/26/2005

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

RIGHT NUMBER: 45-13764

NAME AND ADDRESS: H & S FARMS LTD PARTNERSHIP
1687 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

QUANTITY: 0.020 CFS

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

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 45-2250B, 45-2496, 45-2647, 45-4100, 45-13760, 45-13762, 45-13764 and 45-13571 shall not exceed 6.60 cfs, nor a total combined annual volume of 2049.2 af.

Rights 45-13760, 45-13762 and 45-13764 when combined shall not exceed a total diversion rate of 0.06 cfs and a total annual maximum diversion volume of 17.2 af at the field headgate.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION: T13S R22E S15 SENWSW Within CASSIA County
T13S R22E S22 SESENW Within CASSIA County
T13S R22E S27 SESENW Within CASSIA County
T13S R22E S27 SESENW Within CASSIA County

04/26/2005

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S15	NESW	33.0	T13S R22E S15	NWSW	33.0
T13S R22E S15	SWSW	33.0	T13S R22E S15	SESW	33.0
T13S R22E S15	NESE	33.0	T13S R22E S15	NWSE	33.0
T13S R22E S15	SWSE	33.0	T13S R22E S15	SESE	33.0
T13S R22E S22	NENE	33.0	T13S R22E S22	NWNE	33.0
T13S R22E S22	SWNE	33.0	T13S R22E S22	SENE	33.0
T13S R22E S22	NENW	33.0	T13S R22E S22	NWNW	33.0
T13S R22E S22	SWNW	31.0	T13S R22E S22	SENW	31.0
T13S R22E S22	NESW	38.0	T13S R22E S22	NWSW	37.0
T13S R22E S22	SWSW	4.0	T13S R22E S22	SESW	39.0
T13S R22E S22	NESE	33.0	T13S R22E S22	NWSE	33.0
T13S R22E S27	NENE	33.0	T13S R22E S27	NWNE	33.0
T13S R22E S27	SWNE	33.0	T13S R22E S27	SENE	33.0
T13S R22E S27	NENW	33.0	T13S R22E S27	NWNW	33.0
T13S R22E S27	SWNW	33.0	T13S R22E S27	SENW	33.0

972 ACRES TOTAL

This right is limited to the irrigation of 1.7 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 right holder shall accomplish the change authorized by transfer 71206 by February 18, 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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right Nos. 45-13763 and 45-13764 are an expansion of Right Nos. 45-13759, 45-13760 45-13761 and 45-13762 pursuant to Section 42-1416B, Idaho Code.

Use of this right is combined with water from the Oakley Canal Co.