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DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
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: 45-7103

45-13820, 45-13821

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

☒ Point of Diversion

☐ Period of Use

☒ Split of Water Right

☒ Place of Use

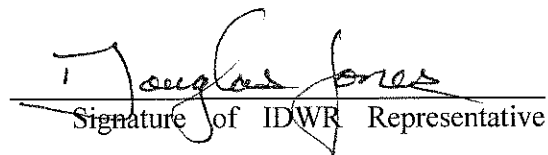
☐ Nature of Use

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

Daniel C Walton
26 N 500 E
Rupert ID 83350

Dan Pruett
Brenda Pruett
1031 E 200 N
Declo ID 83323



Signature of person or attorney mailing the form

5/3/05

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

RIGHT NUMBER: 45-7103

SPLIT RIGHT: SEE RIGHT NOS. 45-13820 and 45-13821.

05/03/2005

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

RIGHT NUMBER: 45-13820

NAME AND ADDRESS: DANIEL C WALTON
26 N 500 E
RUPERT ID 83350

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 9.240 CFS
2,652.80 AFY

This right is limited to a combined rate from all wells not to exceed 9.24 cfs.

Rights 45-02479, 45-07108B and 45-13820 when combined shall not exceed a total diversion rate of 2.63 cfs from the well located in NESE, S20, T9S, R25E.

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.

Rights 45-02637, 45-07102 and 45-13820 when combined shall not exceed a total diversion rate of 1.95 cfs from the well located in Lot 5 SWNW, S6, T10S, R25E.

PRIORITY DATE: 10/13/1972

POINT OF

DIVERSION:

T09S R25E S10 NESESE Within CASSIA County

T09S R25E S20 SWNESE Within CASSIA County

T10S R24E S1 SWSW Within CASSIA County

T10S R24E S12 SWSWSW Rediversion Within CASSIA County

T10S R25E S6 SWNW Lot 5 Within CASSIA County

T10S R25E S7 SWNWSE Within CASSIA County

T10S R25E S7 SWNWSE Within CASSIA County

Rights 45-02637 and 45-07102 are also diverted through the point of diversion located in Lot 5 (SWNW), S6, T10S, R25E.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 11/15

9.240 CFS
2,652.80 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T10S R25E S07	NESW	37.0	T10S R25E S07 Lot 3	NWSW	27.0
T10S R25E S07 Lot 4	SWSW	33.0	T10S R25E S07	SESW	40.0
T10S R25E S07	NESE	37.0	T10S R25E S07	NWSE	37.0
T10S R25E S07	SWSE	40.0	T10S R25E S07	SESE	40.0
T10S R25E S08	NWSW	37.0	T10S R25E S08	SWSW	40.0
T10S R25E S18	NENE	39.0	T10S R25E S18	NWNE	38.0
T10S R25E S18	SWNE	40.0	T10S R25E S18	SENE	40.0
T10S R25E S18	NENW	40.0	T10S R25E S18 Lot 1	NWNW	29.2
T10S R25E S18 Lot 2	SWNW	29.0	T10S R25E S18	SENW	40.0

663.2 ACRES TOTAL

05/03/2005

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

Rights 45-13818 and 45-13820 when combined shall not exceed the irrigation of 663.2 acres.

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

Water shall not be diverted under this right unless a current agreement with the entity or entities controlling the use of the Minidoka Southside Canal is on file with the Department authorizing the use of the canal to transport the water diverted under this right.

The amount of ground water diverted under this right and injected into the canal shall not exceed the amount rediverted plus appropriate conveyance losses. The rate of diversion from the Minidoka Southside Canal under this right shall not exceed the combined rate that ground water is being injected into the canal from wells operating under this 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.

Water diverted from the wells under this right is injected into the Minidoka Southside Canal and then rediverted from the Minidoka Southside Canal. Measuring devices shall be maintained to determine and record the rate and volume of water diverted under this right, the rate of volume of water injected into the canal under this right, and the rate and volume of water rediverted from the canal under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right does not grant any right-of-way or easement across the land of another.

The right holder shall utilize the points of diversion closest to his place of use to the extent water is available from these points of diversion before using water from points of diversion located further from the place of use.

Rights 45-02479 and 45-07108B are also diverted through the point of diversion located in NESE, S20, T9S, R25E.

The right holder shall annually submit to the Department, prior to November 30 of each year, a written report documenting the total volume of groundwater pumped during the year from each well for injection into the canal and the total volume diverted from the canal under this right. The director retains jurisdiction to require more frequent and detailed reports of water diversion and use under this right.

05/03/2005

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

RIGHT NUMBER: 45-13821

NAME AND ADDRESS: BRENDA PRUETT
1031 E 200 N
DECLO ID 83323

DAN R PRUETT
1031 E 200 N
DECLO ID 83323

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.050 CFS
15.20 AFY

Rights 45-13819 and 45-13821 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 15.2 af at the field headgate, and the irrigation of 3.8 acres.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/13/1972

POINT OF
DIVERSION: T10S R24E S13 NENENE 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	0.050 CFS 15.20 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R24E S13	NENE	2.0	T10S R25E S18 Lot 1 NWNW	4.1
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6.1 ACRES TOTAL

This right is limited to the irrigation of 3.8 acres within the place of use described above in a single irrigation season.

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

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.

The right holder shall accomplish the change authorized by transfer 71358 by May 3, 2006.

05/03/2005

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License