

**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

**Water Rights: 45-137,
45-138, 45-13488**

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

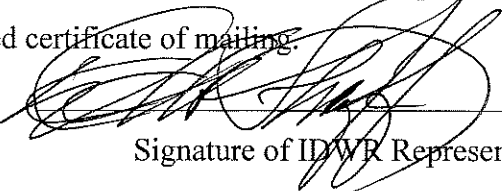
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ IC § 42-222
- | | |
|--|--|
| ☒ Point of diversion | ☒ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
- ☒ Other: Transfer Completed

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) 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: May 31, 2005


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 1, 2005, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

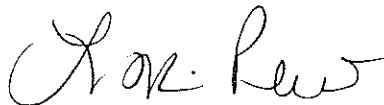
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

Shoulder 3 Ranches, Inc.
P.O. Box 218
Oakley, ID 83346



Signature of person mailing this document

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

RIGHT NUMBER: 45-137

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 2.000 CFS

Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs.

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/31/1877

POINT OF
DIVERSION:

T14S R21E S34 SESWNW NESENW Within CASSIA County

Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	07/02 11/01	0.400 CFS
	04/01 07/01	2.000 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CASSIA County

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENE	0.6
T14S R21E S35	NWNW	1.2			

~~80.3~~ 79.1 ACRES TOTAL

Right Nos. 45-137, 45-138 and 45-13488 are limited to the irrigation of a combined total of ~~80.3~~ 79.1 acres in a single irrigation season.

Rights 45-137 and 45-138 when combined shall not exceed the irrigation of ~~69.6~~ 68.8 acres in a single irrigation season.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45C.

In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

RIGHT NUMBER: 45-138

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.800 CFS

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs.

PRIORITY DATE: 05/31/1883

POINT OF

DIVERSION:

T14S R21E S34 ~~SESWNW~~ NESENW Within CASSIA County

Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 07/01

0.800 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENW	0.6
T14S R21E S35	NWNW	1.2			

~~80.3~~ 79.1 ACRES TOTAL

Right Nos. 45-137, 45-138 and 45-13488 are limited to the irrigation of a combined total of ~~80.3~~ 79.1 acres in a single irrigation season.

Rights 45-137 and 45-138 when combined shall not exceed the irrigation of ~~69.6~~ 68.8 acres in a single irrigation season.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45C.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.

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

RIGHT NUMBER: 45-13488

NAME AND ADDRESS: SHOULDER 3 RANCHES INC
PO BOX 218
OAKLEY ID 83346

SOURCE: TRAPPER CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.370 CFS

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Rights 45-137, 45-138 and 45-13488 when combined shall not exceed a total diversion rate of 2.80 cfs.

PRIORITY DATE: 02/22/1925

POINT OF

DIVERSION: T14S R21E S34 ~~SESWNW~~ NESENW Within CASSIA County

Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.370 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T14S R21E S26	SWSW	27.9	T14S R21E S27	SESE	7.6
T14S R21E S34	NENE	21.2	T14S R21E S34	NWNE	12.1
T14S R21E S34	SWNE	9.7	T14S R21E S34	SENE	0.6
T14S R21E S35	NWNW	1.2			

~~80.3~~ 79.1 ACRES TOTAL

Right Nos. 45-137, 45-138 and 45-13488 are limited to the irrigation of a combined total of ~~80.3~~ 79.1 acres in a single irrigation season.

This right is limited to the irrigation of ~~40.7~~ 10.3 acres within the place of use described above in a single irrigation season.

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

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 - Beneficial Use

Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45C.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

In the future, the right holder may be required to maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that would provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.