



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 12, 2001

FOSTER FARMS
C/O MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

RE: Transfer #5688 (water right 35-2727, 35-2727A and 35-2727B and overlapping right 35-7603C) and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Foster:

On May 4, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5688, 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,

Cheri Vandermeulen
Records Clerk



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DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

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April 12, 2001

ROY E HINCKS
2851 W 900 S
STERLING ID 83210

RE: Transfer #5688 (water right 35-2727, 35-2727A and 35-2727B
and overlapping right 35-7603C) and Notice of Completed
Administrative Proceeding (NCAP)

Dear Mr. Hincks:

On May 4, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5688, 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,

Cheri Vandermeulen
Records Clerk

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: 35-2727, 35-2727A
AND 35-2727B AND
OVERLAPPING RIGHT 35-7603C

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

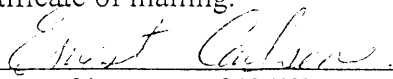
- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer **5688**

- ☒ point of diversion ☒ place of use
- ☐ period of use ☐ nature of use
- ☒ split of water right ☐ change in ownership
- ☒ other: Quantity added

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: April 12, 2001


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2001, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
ROY E HINCKS
2851 W 900 S
STERLING ID 83210

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
FOSTER FARMS
C/O MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

ROY E HINCKS
2851 W 900 S
STERLING ID 83210

4. One copy to:

Each party in the subcase, or attorney of record
JEFFREY C FEREDAY
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720

JOHN RSHOLT
RSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

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

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5688
WATER RIGHT NO. 35-02727B

RECEIVED
MAY 10 2000

This is to certify that: FOSTER FARMS
C/O MARC FOSTER
3018 W 1700 S
ABERDEEN ID 83210

Department of Water Resources
Eastern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.54 CFS	345.4 AF

SOURCE
GROUNDWATER

Priority: 03/13/1965

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 5, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	30E	5	NESW 33	NWSW 33	SWSW 33	132
			SESW 33			132
Total number of acres irrigated:						132

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 4th day of May, 2000

[Signature]
Chief, Water Allocation Bureau