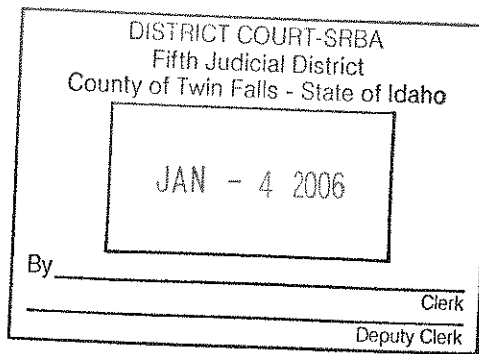




COPY
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JAN 05 2006
DEPARTMENT OF
WATER RESOURCES

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	)	Water Rights: 63-4175, 63-4176
	)	
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

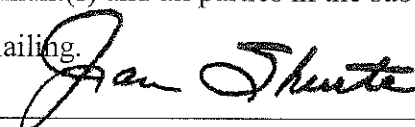
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX** Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: January 3, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 3, 2006, 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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

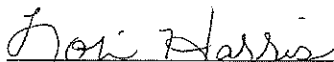
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

AV-CB LLC	☐ overnight mail
9647 W. Pebble Brook Ln.	☒ regular mail
Boise ID 83714	☐ hand-delivered
	☐ facsimile

Bradford Shaw	☐ overnight mail
7383 S. Cloverdale Rd.	☒ regular mail
Boise ID 83709	☐ hand-delivered
	☐ facsimile



Signature of person mailing this document

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DEPARTMENT OF
WATER RESOURCES

01/03/2006

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW SRBA

DISTRICT COURT SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

RIGHT NUMBER: 63-4175

NAME AND ADDRESS: AV-CB LLC
9647 W PEBBLE BROOK LN
BOISE ID 83714

BRADFORD P SHAW
7383 S CLOVERDALE RD
BOISE ID 83709

JAN - 4 2006	
By _____	Clerk
_____	Deputy Clerk

SOURCE: TENMILE CREEK

TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.320 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.32 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 61.2 AF. COMBINED RIGHT NOS.: 63-04175
& 63-04176.

PRIORITY DATE: 03/01/1929

POINT OF DIVERSION:

T02N R01E S4 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.320 CFS

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S04 NWSE 23.0

23 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-04176 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 13.6 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The portion of Right 63-04175 used for conveyance losses is 0.05 cfs.

Failure of the right holder to comply with the conditions of transfer 71048 is
cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall install a suitable measuring device 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.

The right holder shall accomplish the change authorized by Transfer 71048 by 4/26/2009.

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JAN 05 2006

01/03/2006

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

DISTRICT COURT SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho

RIGHT NUMBER: 63-4176
 NAME AND ADDRESS: AV-CB LLC
9647 W PEBBLE BROOK LN
BOISE ID 83714
 BRADFORD P SHAW
 7383 S CLOVERDALE RD
 BOISE ID 83709

By _____

Clerk

Deputy Clerk

JAN - 4 2006

SOURCE: WASTE WATER

TRIBUTARY: TENMILE CREEK

QUANTITY: 0.270 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
 COMBINED DIVERSION RATE OF 0.32 CFS AND TO A TOTAL COMBINED
 ANNUAL DIVERSION VOLUME OF 61.2 AF. COMBINED RIGHT NOS.: 63-04175
 & 63-04176.

PRIORITY DATE: 03/01/1959

POINT OF DIVERSION:

T02N R01E S4 NWSE Within ADA County

PURPOSE AND
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.270 CFS

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S04 NWSE 23.0

23 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-04175 IS LIMITED TO THE
 IRRIGATION OF A COMBINED TOTAL OF 13.6 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The right holder shall accomplish the change authorized by Transfer 71048
 by 4/26/2009.

After specific notification by the Department, the right holder shall install
 a suitable measuring device 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.

Failure of the right holder to comply with the conditions of transfer # 71048
is cause for the Director to rescind approval of the transfer.