

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

JAN 31 2006

By _____ Clerk
_____ Deputy Clerk

RECEIVED

FEB 01 2006
DEPARTMENT OF
WATER RESOURCES

COPY

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: 27-7120, 27-7261, 27-10151, 27-11968

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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: January 25, 2005

Ernest M. O'Brien
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 27, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail 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:
ROSEMARY TOMINAGA (DECEASED)

3. One copy to:

Claimant/ Purchaser for Substitution of Party, or attorney of record:	
RAY TOMINAGA	RICHARD TOMINAGA
515 W 73 S	JOANN TOMINAGA
BLACKFOOT ID 83221	702 W 100 N
	BLACKFOOT ID 83221

4. One copy to:

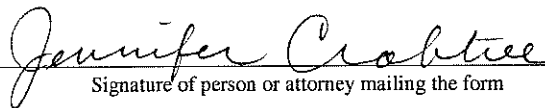
Each party in the subcase, or attorney of record
N/A

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

01/25/2006

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

RIGHT NUMBER: 27-7120
NAME AND ADDRESS: RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 31 2006	
By _____	Clerk
_____	Deputy Clerk

SOURCE: GROUND WATER
QUANTITY: 3.760 CFS
658.00 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 27-11968 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.76 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 685.3 AF.

This right when combined with all other rights shall provide no more than
0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 01/02/1978

POINT OF
DIVERSION: T02S R37E S6 SENWNE Within BINGHAM County
T02S R37E S6 SENWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.760 CFS 658.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S06	NENE	22.70	T02S R37E S06	NWNE	2.50
T02S R37E S06	SWNE	27.30	T02S R37E S06	SENE	24.80
T02S R37E S06	SESW	3.10	T02S R37E S06	SESW	5.00
T02S R37E S06	NESE	36.20	T02S R37E S06	NWSE	9.30
T02S R37E S06	SWSE	37.90	T02S R37E S06	SESE	27.00

195.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 27-11968 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.8 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188 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 - License

RIGHT NO. 27-11968 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 27-11968 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

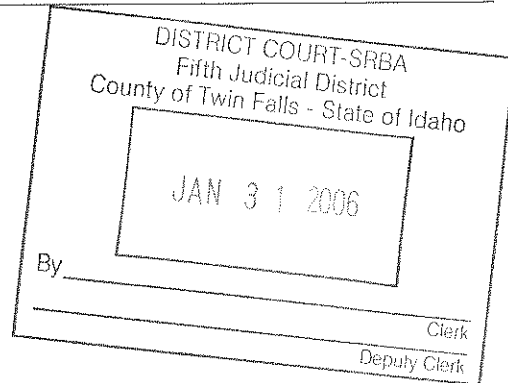
01/25/2006

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

RIGHT NUMBER: 27-7261
NAME AND ADDRESS: RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221



SOURCE: GROUND WATER
QUANTITY: 1.320 CFS
238.00 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 27-10151 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 247.1 AF.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/10/1981
POINT OF DIVERSION: T02S R37E S6 SWNWSE Within BINGHAM County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.320 CFS 238.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S06	SWNE	3.90	T02S R37E S06	SENE	1.50
T02S R37E S06	NESW	30.60	T02S R37E S06	SESW	12.30
T02S R37E S06	NWSE	22.30			

70.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 68.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 27-10151 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70.6 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 - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 27-10151 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

RIGHT NO. 27-10151 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

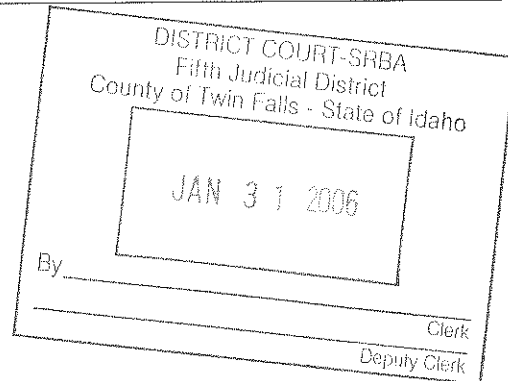
01/25/2006

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

RIGHT NUMBER: 27-10151
NAME AND ADDRESS: RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221



SOURCE: GROUND WATER
QUANTITY: 0.130 CFS

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 27-7261 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 247.1 AF.

PRIORITY DATE: 04/01/1983

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T02S R37E S6 SWNWSE Within BINGHAM County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/01 11/01	0.130 CFS
PLACE OF USE:	<u>IRRIGATION Within BINGHAM County</u>		
	T02S R37E S06 SWNE	0.30	T02S R37E S06 SENW 2.30
	T02S R37E S06 NESW	3.60	T02S R37E S06 SESW 1.00
	T02S R37E S06 NWSE	0.60	
	7.8 ACRES TOTAL		

USE OF THIS RIGHT WITH RIGHT NO. 27-7261 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70.6 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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 27-7261 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 27-7261 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 2.6 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

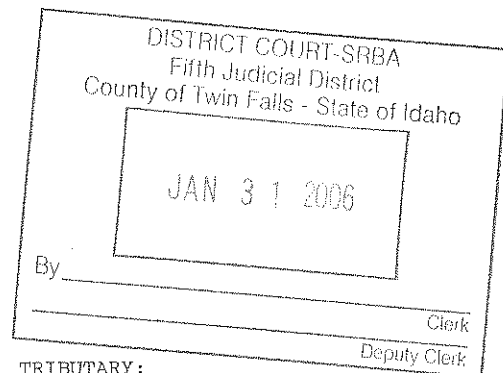
01/25/2006

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

RIGHT NUMBER: 27-11968
NAME AND ADDRESS: RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221



SOURCE: GROUND WATER
QUANTITY: 3.760 CFS
27.30 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 27-7120 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.76 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 685.3 AF.

PRIORITY DATE: 04/01/1978

This water right is subordinate to all water rights with a priority date
earlier than April 12, 1994, that are not decreed as enlargements pursuant
to Section 42-1426, Idaho Code. As between water rights decreed as
enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority
right is the superior right.

POINT OF
DIVERSION: T02S R37E S6 SENWSE Within BINGHAM County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.760 CFS 27.30 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S06 Lot 1 NENE	23.00	T02S R37E S06 Lot 2 NWNE	2.50
T02S R37E S06 SWNE	27.00	T02S R37E S06 SENE	28.00
T02S R37E S06 SESW	5.00	T02S R37E S06 NESE	36.00
T02S R37E S06 NWSE	9.50	T02S R37E S06 SWSE	38.00
T02S R37E S06 SESE	27.00		

196 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 27-7120 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.8 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 27-7120
PURSUANT TO SECTION 42-1426, IDAHO CODE.

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

RIGHT NO. 27-7120 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 7.8 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.