

COPY

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DISTRICT COURT-SRBA
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	)	Subcase No. 37-797, 37-7116, 37-12868
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

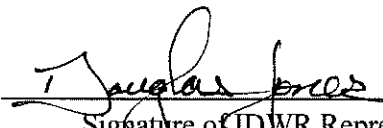
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 5/4/96



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/4, 2006, 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 West Fort Street MSC 033
Boise ID 83724

Norval Rex Awalt
Christy Lou Awalt
PO Box 392
San Miguel CA 93451

Simms Credit Shelter Trust
Clifford J Simms Jr Family Trust
Barbara Simms Trustee
17816 Hwy 30
Bliss ID 83314



Signature of person or attorney mailing the form

03/21/2006

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

RIGHT NUMBER: 37-797

NAME AND ADDRESS: NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: BIRCH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.100 CFS

PRIORITY DATE: 06/30/1880

POINT OF

DIVERSION: T06S R13E S35 NWSW Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.100 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.00	T06S R13E S34	SENE	40.00
T06S R13E S34	NESE	35.00	T06S R13E S35	NWNW	4.90
T06S R13E S35	SWNW	20.00	T06S R13E S35	NWSW	23.00

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/21/2006

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

RIGHT NUMBER: 37-7116

NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: BIRCH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 6.000 CFS
4,340.00 AFY

Rights 37-797, 37-799 and 37-7116 when combined shall not exceed a total diversion rate of 6.00 cfs.

PRIORITY DATE: 01/12/1984

POINT OF
DIVERSION: T06S R13E S35 SWNWSW Within GOODING County
T06S R13E S35 SWSESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	6.000 CFS 4,340.00 AFY

PLACE OF USE: FISH PROPAGATION Within GOODING County

T06S R13E S34	NESE	T06S R13E S35	NWSW
T06S R13E S35	SESW		

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

The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

The agreement dated March 30, 1972, among Vernon J. Huff, E. Bud Jensen and Paul Fleming, is a part of this right for purposes of delivering water between the parties or their successors in interest.

Rights 37-797 and 37-799 are also diverted through the point of diversion in the SW~~1~~/~~4~~SW~~1~~/~~4~~ Sec. 35, T6S, R13E, B.M., described above.

Use of water under this right shall be non-consumptive.

For each authorized point of diversion, the right holder shall maintain a means of measurement and lockable controlling works acceptable to the Department.

This right authorizes the simultaneous diversion and use of up to 6.00 cfs of water from Birch Creek at each of the two authorized points of diversion.

03/21/2006

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

RIGHT NUMBER: 37-12868
NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 02/03/1892

POINT OF
DIVERSION: T06S R13E S35 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	3/15 11/15	1.000 CFS
PLACE OF USE:	<u>IRRIGATION Within GOODING County</u>		
	T06S R13E S34 NENE	15.00	T06S R13E S34 SENE 40.00
	T06S R13E S34 NESE	35.00	T06S R13E S35 NWNW 4.90
	T06S R13E S35 SWNW	20.00	T06S R13E S35 NWSW 23.00

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres in a single irrigation season.

This right is limited to the irrigation of 77 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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.