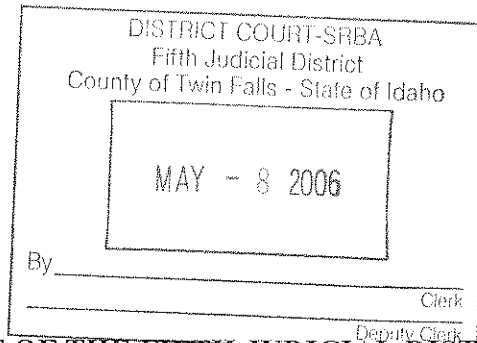




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MAY 13 2006
DEPARTMENT OF
WATER RESOURCES

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: 63-4023A, 63-4086A,
	)	63-4980, 63-4981, 63-4982
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: May 5, 2006

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 5, 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
Office 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:

Alpine Creek LLC	☐ overnight mail
5529 W School Ridge Rd.	☒ regular mail
Boise ID 83714	☐ hand-delivered
	☐ facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document

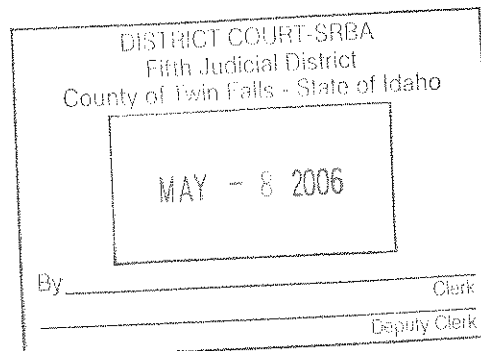
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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4023A
NAME AND ADDRESS: ALPINE CREEK LLC
5529 W SCHOOL RIDGE RD
BOISE ID 83714

MARGARET BRUSHER
2393 TREMER RD
ANN-ARBOR-MI 48103

HELEN WEIGSHAUPT
5005 N BROOKSIDE LN
BOISE ID 83703



SOURCE: DRY CREEK
SPRING CREEK DITCH

TRIBUTARY: BOISE RIVER
TRIBUTARY: DRY CREEK

QUANTITY: 2.440 CFS

Use of this right with rights listed below is limited to a total combined diversion rate of 2.44 cfs. Combined Right Nos.: 63-4086A, 63-4980, 63-4981 and 63-4982.

PRIORITY DATE: 07/01/1927

POINT OF DIVERSION:

T05N R01E S35 NWNE Within ADA County
T05N R01E S35 NWNE 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	2.440 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35	NENW	39.00	T05N R01E S35	NWNW	19.00
T05N R01E S35	SWNW	36.00	T05N R01E S35	SENE	28.00

122 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 122 acres in a single irrigation season. Combined Right Nos.: 63-4086A, 63-4980, 63-4981 and 63-4982.

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 following rights are also diverted through point of diversion described above: 63-63-4086A, 63-4980, 63-4981 and 63-4982.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

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MAY 11 2006
DEPARTMENT OF
WATER RESOURCES
COPY

RIGHT NUMBER: 63-4086A
NAME AND ADDRESS: ALPINE CREEK LLC
5529 W SCHOOL RIDGE RD
BOISE ID 83714

MARGARET BRUSHER
2393 TESMER RD
ANN ARBOR MI 48103

HELEN WEISSHAUPT
5005 N BROOKSIDE LN
BOISE ID 83703

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 8 2006	
By _____	Clerk
_____	Deputy Clerk

SOURCE: DRY CREEK
SPRING CREEK DITCH

TRIBUTARY: BOISE RIVER
TRIBUTARY: DRY CREEK

QUANTITY: 2.440 CFS

PRIORITY DATE: 07/20/1960

POINT OF DIVERSION:

T05N R01E S35 NWNE Within ADA County

T05N R01E S35 NWNE 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	2.440 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35	NENW	39.00	T05N R01E S35	NWNW	19.00
T05N R01E S35	SWNW	36.00	T05N R01E S35	SENW	28.00

122 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 122 acres in a single irrigation season. Combined Right Nos.: 63-4023A, 63-4980 ,63-4981 and 63-4982.

Use of this right with rights listed below is limited to a total combined diversion rate of 2.44 cfs. Combined Right Nos.: 63-4023A, 63-4980, 63-4981 and 63-4982 .

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 source pursuant to Section 42-1425, Idaho Code.

The following rights are also diverted through point of diversion described above: 63-4023A, 63-4980 ,63-4981 and 63-4982.

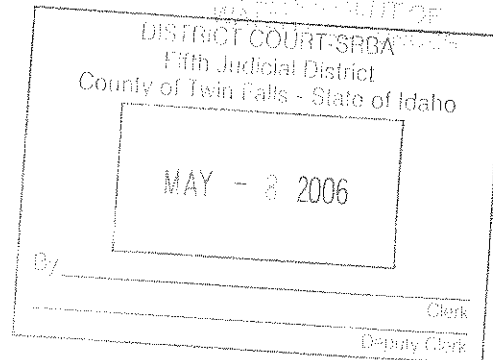
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RECEIVED COPY

RIGHT NUMBER: 63-4980
NAME AND ADDRESS: ALPINE CREEK LLC
5529 W SCHOOL RIDGE RD
BOISE ID 83714

MARGARET BRUSHER
2393 TESMER RD
ANN-ARBOR MI 48103

HELEN WEISSHAUPT
5005 N BROOKSIDE LN
BOISE ID 83703



SOURCE: SPRING CREEK

TRIBUTARY: DRY CREEK

QUANTITY: 0.620 CFS

Use of this right with rights listed below is limited to a total combined diversion rate of 2.44 cfs. Combined Right Nos.: 63-4023A, 63-4086A, 63-4981 and 63-4982.

PRIORITY DATE: 03/01/1919

POINT OF DIVERSION:

T05N R01E S26 SWSE 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	0.620 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35	NENW	24.00	T05N R01E S35	NWNW	7.00
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31 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 122 acres in a single irrigation season. Combined Right Nos.: 63-4023A, 63-4086A, 63-4981 and 63-4982.

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 following rights are also diverted through point of diversion described above: 63-4023A, 63-63-4086A

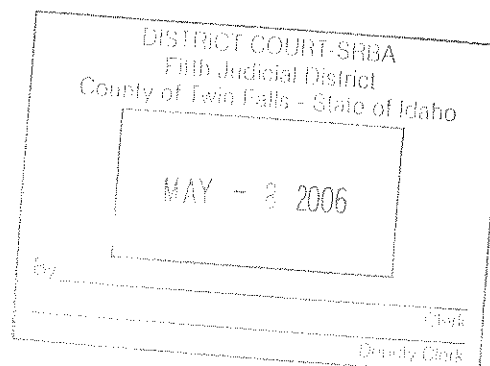
COPY

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

RIGHT NUMBER: 63-4981
NAME AND ADDRESS: ALPINE CREEK LLC
5529 W SCHOOL RIDGE RD
BOISE ID 83714

MARGARET BRUSHER
2393 TESMER RD
ANN ARBOR MI 48103

HELEN WEISSHAUPT
5005 N BROOKSIDE LN
BOISE ID 83703



SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 1.370 CFS

Use of this right with rights listed below is limited to a total combined diversion rate of 2.44 cfs. Combined Right Nos.: 63-4023A, 63-4086A, 63-4980 and 63-4982.

PRIORITY DATE: 03/01/1926

POINT OF DIVERSION:

T05N R01E S35 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	1.370 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35	NENW	14.00	T05N R01E S35	NWNW	13.00
T05N R01E S35	SWNW	36.00	T05N R01E S35	SENW	6.00

69 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 122 acres in a single irrigation season. Combined Right Nos.: 63-4023A, 63-4086A, 63-4980 and 63-4982.

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 following rights are also diverted through point of diversion described above: 63-4023A, 63-4086A, 63-4980 and 63-4982.

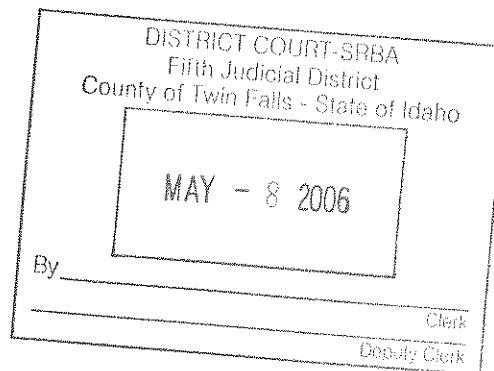
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

COPY

RIGHT NUMBER: 63-4982
NAME AND ADDRESS: ALPINE CREEK LLC
5529 W SCHOOL RIDGE RD
BOISE ID 83714

MARGARET BRUSHER
2393 TESMER RD
ANN ARBOR MI 48103

HELEN WEISSHAUPT
5005 N BROOKSIDE LN
BOISE ID 83703



SOURCE: DRY CREEK
QUANTITY: 0.450 CFS

TRIBUTARY: BOISE RIVER

Use of this right with rights listed below is limited to a total combined diversion rate of 2.44 cfs. Combined Right Nos.: 63-4023A, 63-4086A, 63-4980 and 63-4981.

PRIORITY DATE: 03/01/1920

POINT OF DIVERSION:

T05N R01E S35 NWNE 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	0.450 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35	SWNW	1.00	T05N R01E S35	SENE	19.00
T05N R01E S35	NESW	3.00	T05N R01E S35	NWSW	1.00

24 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 122 acres in a single irrigation season. Combined Right Nos.: 63-4023A, 63-4086A, 63-4980 and 63-4981.

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 following rights are also diverted through point of diversion described above: 63-4981, 63-4980, 63-4023A and 63-4086A.