

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: 27-2050 & 27-2053

Case No. 39576

AMENDED NOTICE OF
COMPLETED
ADMINISTRATIVE
PROCEEDING

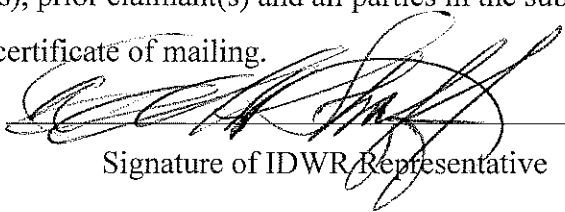
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ 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 |
| ☐ Remarks | ☐ Other: |

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Report* for said water right. No other changes have been made to the elements of this water right except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report* 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 17, 2006


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 18, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

FMC Production, LLC
P.O. Box 4111
Pocatello, ID 83205

Nu-West Industries, Inc.
dba Agrium Conda Phosphate
3010 Conda Rd.
Soda Springs, ID 83276

Shoshone-Bannock Tribes
Fort Hall Indian Reservation
Fort Hall Business Council
P.O. Box 306
Fort Hall, ID 83203



Signature of person mailing this document

05/17/2006

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

RIGHT NUMBER: 27-2050

NAME AND ADDRESS: FMC PRODUCTION LLC
PO BOX 4111
POCATELLO ID 83205

NU-WEST INDUSTRIES INC
DBA AGRIUM CONDA PHOSPHATE
3010 CONDA RD
SODA SPRINGS ID 83276

SOURCE: DRY VALLEY CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/12/1922

POINT OF
DIVERSION:

T07S R44E S31 SWSENE End of Stream Flow Within CARIBOU County
T07S R44E S32 SESWSW Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	05/15 11/15	0.020 CFS
PLACE OF USE:	<u>STOCKWATER Within CARIBOU County</u>		
	T07S R44E S31 SENE	T07S R44E S31	NESE
	T07S R44E S32 NWSW	T07S R44E S32	SWSW

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

THE IRRIGATION PORTION IS FORFEITED/ABANDONED DUE TO
NON-USE FROM 1976 TO 2003.

The quantity of water decreed for this water right is not a determination
of historical beneficial use.

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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

FORFEITED/ABANDONED: This is included for a claim based on a decree or
license where the irrigation portion is PROPOSED to be disallowed on the
basis that the irrigation portion of the right was forfeited by nonuse because
abandonment of the right was confirmed.

05/17/2006

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

RIGHT NUMBER: 27-2053

NAME AND ADDRESS: FMC PRODUCTION LLC
PO BOX 4111
POCATELLO ID 83205

NU-WEST INDUSTRIES INC
DBA AGRIUM CONDA PHOSPHATE
3010 CONDA RD
SODA SPRINGS ID 83276

SOURCE: DRY VALLEY CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/04/1922

POINT OF
DIVERSION:

T07S R44E S31 SWSWNE End of Stream Flow Within CARIBOU County
T07S R44E S31 SESWNE Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	05/15 11/15	0.020 CFS
PLACE OF USE:	<u>STOCKWATER Within CARIBOU County</u>		
	T07S R44E S31 SWNE		

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

THE IRRIGATION PORTION OF THIS RIGHT HAS BEEN
FORFEITED/ABANDONED DUE TO NON-USE FROM 1976 TO 2003.

The quantity of water decreed for this water right is not a determination
of historical beneficial use.

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 IRRIGATION PORTION OF THIS RIGHT HAS BEEN
FORFEITED/ABANDONED: This is included for a claim based on a decree or
license where the irrigation portion of this right is PROPOSED to be
disallowed on the basis that the irrigation portion of the right was forfeited
because abandonment of the right was confirmed.

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