

COPY

2006 JUN 21 AM 10:43

CLERK OF DISTRICT COURT
TWIN FALLS CO., IDAHO

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: 74-373, 74-374

Case No. 39576

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 |
| ☐ 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: 6/16/2006

Deanne Brown

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 19, 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

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

2. Copies to:

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

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

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

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

3. Copies to all parties to the subcase:

Guardian Limited Partnership No.2
P.O. Box 1491
Idaho Falls, ID 83403

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

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



Signature of person mailing this document

06/16/2006

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

RIGHT NUMBER: 74-373

NAME AND ADDRESS: GUARDIAN LTD PARTNERSHIP NO 2
PO BOX 1491
IDAHO FALLS ID 83403

SOURCE: LITTLE SAWMILL CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.600 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/15/1899

POINT OF
DIVERSION: T17N R24E S7 NWSESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.600 CFS
STOCKWATER	1/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T17N R23E S01	SENE	19.10	T17N R23E S01	NESE	30.10
T17N R23E S01	SWSE	9.30	T17N R23E S01	SESE	38.00
T17N R23E S12	NENE	19.40	T17N R23E S12	NWNE	20.70
T17N R23E S12	SENE	26.40	T17N R23E S12	NESE	16.20
T17N R24E S05	NWSW	14.30	T17N R24E S05	SWSW	13.80
T17N R24E S06 Lot 1	NENE	0.10	T17N R24E S06 Lot 2	NWNE	10.40
T17N R24E S06	SWNE	40.00	T17N R24E S06	SENE	16.30
T17N R24E S06 Lot 3	NENW	17.50	T17N R24E S06 Lot 5	SWNW	12.80
T17N R24E S06	SENE	40.00	T17N R24E S06	NESW	40.00
T17N R24E S06 Lot 6	NWSW	22.20	T17N R24E S06 Lot 7	SWSW	18.40
T17N R24E S06	SESW	33.40	T17N R24E S06	NESE	38.20
T17N R24E S06	NWSE	40.00	T17N R24E S06	SWSE	27.70
T17N R24E S06	SESE	39.40	T17N R24E S07	NENE	32.40
T17N R24E S07	NWNE	18.20	T17N R24E S07	SWNE	13.60
T17N R24E S07	SENE	4.90	T17N R24E S07	NENW	39.80
T17N R24E S07 Lot 1	NWNW	32.70	T17N R24E S07 Lot 2	SWNW	30.30
T17N R24E S07	SENE	26.70	T17N R24E S07	NESW	6.00
T17N R24E S07 Lot 3	NWSW	24.80	T17N R24E S08	NWNW	2.20
T18N R24E S31	SENE	0.40	T18N R24E S31 Lot 18	SESW	22.00
T18N R24E S31	NESE	27.90	T18N R24E S31	NWSE	2.50
T18N R24E S31	SWSE	33.80	T18N R24E S31	SESE	34.70
T18N R24E S32 Lot 10	NENW	4.00	T18N R24E S32 Lot 4	NWNW	0.10
T18N R24E S32	SWNW	22.90	T18N R24E S32	SENE	20.40
T18N R24E S32	NESW	0.30	T18N R24E S32	NWSW	26.20
T18N R24E S32	SWSW	6.20			

STOCKWATER Within LEMHI County

T17N R23E S01	SENE	T17N R23E S01	NESE
T17N R23E S01	SWSE	T17N R23E S01	SESE

T17N R23E S12	NENE	T17N R23E S12	NWNE
T17N R23E S12	SENE	T17N R23E S12	NESE
T17N R24E S05	NWSW	T17N R24E S05	SWSW
T17N R24E S06 Lot 1	NENE	T17N R24E S06 Lot 2	NWNE
T17N R24E S06	SWNE	T17N R24E S06	SENE
T17N R24E S06 Lot 3	NENW	T17N R24E S06 Lot 5	SWNW
T17N R24E S06	SENW	T17N R24E S06	NESW
T17N R24E S06 Lot 6	NWSW	T17N R24E S06 Lot 7	SWSW
T17N R24E S06	SESW	T17N R24E S06	NESE
T17N R24E S06	NWSE	T17N R24E S06	SWSE
T17N R24E S06	SESE	T17N R24E S07	NENE
T17N R24E S07	NWNE	T17N R24E S07	SWNE
T17N R24E S07	SENE	T17N R24E S07	NENW
T17N R24E S07 Lot 1	NWNW	T17N R24E S07 Lot 2	SWNW
T17N R24E S07	SENW	T17N R24E S07	NESW
T17N R24E S07 Lot 3	NWSW	T17N R24E S08	NWNW
T18N R24E S31	SENE	T18N R24E S31 Lot 18	SESW
T18N R24E S31	NESE	T18N R24E S31	NWSE
T18N R24E S31	SWSE	T18N R24E S31	SESE
T18N R24E S32 Lot 10	NENW	T18N R24E S32 Lot 4	NWNW
T18N R24E S32	SWNW	T18N R24E S32	SENW
T18N R24E S32	NESW	T18N R24E S32	NWSW
T18N R24E S32	SWSW		

1036.7 ACRES TOTAL

Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.

Rights 74-373, 74-374 and 74-1068 when combined shall not exceed the irrigation of 176.8 acres.

This right is limited to the irrigation of 51.7 acres within the place of use described above in a single irrigation season.

Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right 74-374 is also diverted through the point of diversion described above.

06/16/2006

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

RIGHT NUMBER: 74-374

NAME AND ADDRESS: GUARDIAN LTD PARTNERSHIP NO 2
PO BOX 1491
IDAHO FALLS ID 83403

SOURCE: LITTLE SAWMILL CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.600 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/15/1899

POINT OF
DIVERSION: T17N R24E S7 NWSESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1/01 12/31	0.040 CFS
IRRIGATION	3/15 11/15	0.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T17N R23E S01	SENE	19.10	T17N R23E S01	NESE	30.10
T17N R23E S01	SWSE	9.30	T17N R23E S01	SESE	38.00
T17N R23E S12	NENE	19.40	T17N R23E S12	NWNE	20.70
T17N R23E S12	SENE	26.40	T17N R23E S12	NESE	16.20
T17N R24E S05	NWSW	14.30	T17N R24E S05	SWSW	13.80
T17N R24E S06 Lot 1	NENE	0.10	T17N R24E S06 Lot 2	NWNE	10.40
T17N R24E S06	SWNE	40.00	T17N R24E S06	SENE	16.30
T17N R24E S06 Lot 3	NENW	17.50	T17N R24E S06 Lot 5	SWNW	12.80
T17N R24E S06	SENW	40.00	T17N R24E S06	NESW	40.00
T17N R24E S06 Lot 6	NWSW	22.20	T17N R24E S06 Lot 7	SWSW	18.40
T17N R24E S06	SESW	33.40	T17N R24E S06	NESE	38.20
T17N R24E S06	NWSE	40.00	T17N R24E S06	SWSE	27.70
T17N R24E S06	SESE	39.40	T17N R24E S07	NENE	32.40
T17N R24E S07	NWNE	18.20	T17N R24E S07	SWNE	13.60
T17N R24E S07	SENE	4.90	T17N R24E S07	NENW	39.80
T17N R24E S07 Lot 1	NWNW	32.70	T17N R24E S07 Lot 2	SWNW	30.30
T17N R24E S07	SENW	26.70	T17N R24E S07	NESW	6.00
T17N R24E S07 Lot 3	NWSW	24.80	T17N R24E S08	NWNW	2.20
T18N R24E S31	SENE	0.40	T18N R24E S31 Lot 18	SESW	22.00
T18N R24E S31	NESE	27.90	T18N R24E S31	NWSE	2.50
T18N R24E S31	SWSE	33.80	T18N R24E S31	SESE	34.70
T18N R24E S32 Lot 10	NENW	4.00	T18N R24E S32 Lot 4	NWNW	0.10
T18N R24E S32	SWNW	22.90	T18N R24E S32	SENW	20.40
T18N R24E S32	NESW	0.30	T18N R24E S32	NWSW	26.20
T18N R24E S32	SWSW	6.20			

STOCKWATER Within LEMHI County

T17N R23E S01	SENE	T17N R23E S01	NESE
T17N R23E S01	SWSE	T17N R23E S01	SESE

T17N R23E S12	NENE	T17N R23E S12	NWNE
T17N R23E S12	SENE	T17N R23E S12	NESE
T17N R24E S05	NWSW	T17N R24E S05	SWSW
T17N R24E S06 Lot 1	NENE	T17N R24E S06 Lot 2	NWNE
T17N R24E S06	SWNE	T17N R24E S06	SENE
T17N R24E S06 Lot 3	NENW	T17N R24E S06 Lot 5	SWNW
T17N R24E S06	SENW	T17N R24E S06	NESW
T17N R24E S06 Lot 6	NWSW	T17N R24E S06 Lot 7	SWSW
T17N R24E S06	SESW	T17N R24E S06	NESE
T17N R24E S06	NWSE	T17N R24E S06	SWSE
T17N R24E S06	SESE	T17N R24E S07	NENE
T17N R24E S07	NWNE	T17N R24E S07	SWNE
T17N R24E S07	SENE	T17N R24E S07	NENW
T17N R24E S07 Lot 1	NWNW	T17N R24E S07 Lot 2	SWNW
T17N R24E S07	SENW	T17N R24E S07	NESW
T17N R24E S07 Lot 3	NWSW	T17N R24E S08	NWNW
T18N R24E S31	SENE	T18N R24E S31 Lot 18	SESW
T18N R24E S31	NESE	T18N R24E S31	NWSE
T18N R24E S31	SWSE	T18N R24E S31	SESE
T18N R24E S32 Lot 10	NENW	T18N R24E S32 Lot 4	NWNW
T18N R24E S32	SWNW	T18N R24E S32	SENW
T18N R24E S32	NESW	T18N R24E S32	NWSW
T18N R24E S32	SWSW		

1036.7 ACRES TOTAL

This right is limited to the irrigation of 125.1 acres within the place of use described above in a single irrigation season.

Rights 74-373, 74-374, 74-1068, 74-1073, and 74-1074 when combined shall not exceed the irrigation of 283.9 acres.

Rights 74-373, 74-374, 74-985, 74-1066A, 74-1066B, 74-1067, 74-1068, 74-1072, 74-1073, 74-1074, 74-1800A and 74-1800B when combined shall not exceed the irrigation of 1036.7 acres.

Rights 74-373, 74-374 and 74-1068 when combined shall not exceed the irrigation of 176.8 acres.

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

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and bypass requirements of the Idaho Department of Fish and Game.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right 74-373 is also diverted through the point of diversion described above.