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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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: 63-194
	)	
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

Address change

Substitution of Party

XX IC § 42-222 transfer

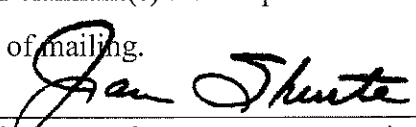
☐ Point of diversion	XX	Place of use
XX Period of use	XX	Nature of use
☐ Split of water right	XX	Change in ownership
XX Other – Conditions & Remarks		

☐ 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: July 18, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 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

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

2. Copies to:

Clive Strong
Office 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:

T R Co LLC
250 S Beechwood Ave Ste 120
Boise ID 83709

☐ overnight mail
☒ regular mail
☐ 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 RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 JUL 19 AM 10:03

RIGHT NUMBER: 63-194

NAME AND ADDRESS:

T R CO LLC
250 S BEECHWOOD AVE STE 120
BOISE ID 83709

B-W INC
250 S BEECHWOOD STE 120
BOISE ID 83709

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DEPARTMENT OF
WATER RESOURCES

SOURCE:

Source:

Tributary:

BOISE RIVER

SNAKE RIVER

QUANTITY:

5.200 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE:

06/01/1877

POINT OF DIVERSION:

T04N R01E S16 SWSW
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/01 11/15	<u>4.370 CFS</u> 5.200 CFS
<u>AESTHETIC STORAGE</u>	<u>01/01 12/31</u>	<u>112.10 AFY</u>
<u>DIVERSION TO STORAGE</u>	<u>03/01 11/15</u>	<u>0.830 CFS</u>

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

IRRIGATION within ADA County

T04N R01E S17 Lot 7 SWNE 14.6

~~T04N R01E S17 Lot 7 SWNE 14.0~~

T04N R01E S17 Lot 8 SENE 15.2

~~T04N R01E S17 Lot 8 SENE 13.0~~

T04N R01E S17 Lot 6 SENW 8.6

~~T04N R01E S17 Lot 6 SENW 10.0~~

T04N R01E S17 Lot 6 NESW 29.4

~~T04N R01E S17 Lot 6 NESW 38.0~~

T04N R01E S17 SESW 6.2

~~T04N R01E S17 SESW 14.0~~

T04N R01E S17 Lot 8 NESE 34.9

~~T04N R01E S17 Lot 8 NESE 39.0~~

T04N R01E S17 Lot 7 NWSE 29.2

~~T04N R01E S17 Lot 7 NWSE 39.0~~

T04N R01E S17 SWSE 26.7

~~T04N R01E S17 SWSE 33.0~~

T04N R01E S17 SESE 35.2

~~T04N R01E S17 SESE 38.0~~

200 ACRES TOTAL

~~238 ACRES TOTAL~~

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

Right 63-194 authorizes the diversion of an annual total of 112.1 af for Aesthetic Storage to be used for the replacement of losses caused by evaporation from the 38.0 acre total surface area of sixteen (16) ponds established under Right 63-32139.

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.

The right holder shall accomplish the change authorized by Transfer 72104 within one year of the date of the approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 63 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Use of this right is combined with water from the Mace-Catlin Ditch Company.

Property is also known as Two Rivers Subdivision.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 63.