

**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

Case No. 39576

**Water Rights: 37-59M, 37-327
and 37-329**

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

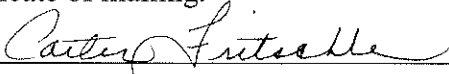
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ IC § 42-222
- ☒ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 8-2-06



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 2, 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
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

William & Karen Arkoosh
2005 U.S. Hwy. 26
Gooding, ID 83330



Signature of person mailing this document

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

RIGHT NUMBER: 37-59M

NAME AND ADDRESS: WILLIAM ARKOOSH
2005 US HWY 26
GOODING ID 83330

KAREN A ARKOOSH
2005 US HWY 26
GOODING ID 83330

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

Water is diverted from the Big Wood River into the Richfield Canal, injected into the Jim Byrns Slough that flows into the Little Wood River and rediverted from the Little Wood River.

QUANTITY: 2.304 CFS

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This right is subject to a 27% conveyance loss; 1.68 cfs may be rediverted from the Little Wood River.

Rights 37-59M, 37-327, and 37-329 when combined shall not exceed a total diversion rate of 5.88 cfs from the Little Wood River.

PRIORITY DATE: 05/27/1899

POINT OF DIVERSION:

T02S R18E S30 SENE Within LINCOLN County

T03S R19E S19 NENE Injection Within LINCOLN County

T04S R19E S25 NWSE Injection Within LINCOLN County

T05S R16E S26 NENE Rediversion Within LINCOLN County

T05S R16E S26 NWNE Rediversion Within LINCOLN County

T05S R16E ~~S26~~ S27 NENW Rediversion Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.304 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S21	SESE	15.00	T05S R16E S22	SWSW	8.80
T05S R16E S26	NENE	17.00	T05S R16E S26	NWNE	7.70
T05S R16E S26	SWNE	20.00	T05S R16E S26	NENW	17.00
T05S R16E S26	NWNW	31.00	T05S R16E S26	SWNW	5.70
T05S R16E S26	SENE	13.80	T05S R16E S27	NENE	11.00
T05S R16E S27	NWNE	14.00	T05S R16E S27	NENW	24.00
T05S R16E S27	NWNW	40.00	T05S R16E S28	NENE	20.00

245 ACRES TOTAL

Right Nos. 37-59M, 37-327 and 37-329 are limited to the irrigation of a combined total of 245 acres in a single irrigation season.

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

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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

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

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. 37M.

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).

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

The right holder shall accomplish the change authorized by Transfer No. 71639 by December 21, 2006.

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

RIGHT NUMBER: 37-327

NAME AND ADDRESS: KAREN A ARKOOSH
2005 US HWY 26
GOODING ID 83330

WILLIAM ARKOOSH
2005 US HWY 26
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.200 CFS

Rights 37-59M, 37-327, and 37-329 when combined shall not exceed a total diversion rate of 5.88 cfs from the Little Wood River.

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/15/1884

POINT OF DIVERSION:

T05S R16E S26 NENE Within LINCOLN County

T05S R16E S26 NWNE Within LINCOLN County

T05S R16E S26 S27 NENW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.200 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S21	SESE	15.00	T05S R16E S22	SWSW	8.80
T05S R16E S26	NENE	17.00	T05S R16E S26	NWNE	7.70
T05S R16E S26	SWNE	20.00	T05S R16E S26	NENW	17.00
T05S R16E S26	NWNW	31.00	T05S R16E S26	SWNW	5.70
T05S R16E S26	SENE	13.80	T05S R16E S27	NENE	11.00
T05S R16E S27	NWNE	14.00	T05S R16E S27	NENW	24.00
T05S R16E S27	NWNW	40.00	T05S R16E S28	NENE	20.00

245 ACRES TOTAL

Right Nos. 37-59M, 37-327 and 37-329 are limited to the irrigation of a combined total of 245 acres in a single irrigation season.

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

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.

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall accomplish the change authorized by Transfer No. 71639 by December 21, 2006.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening 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).

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. 37M.

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

RIGHT NUMBER: 37-329

NAME AND ADDRESS: WILLIAM ARKOOSH
2005 US HWY 26
GOODING ID 83330

KAREN A ARKOOSH
2005 US HWY 26
GOODING ID 83330

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

Rights 37-59M, 37-327, and 37-329 when combined shall not exceed a total diversion rate of 5.88 cfs from the Little Wood River.

This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/15/1886

POINT OF DIVERSION:

T05S R16E S26 NENE Within LINCOLN County

T05S R16E S26 NWNE Within LINCOLN County

T05S R16E S26 S27 NENW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S21	SESE	15.00	T05S R16E S22	SWSW	8.80
T05S R16E S26	NENE	17.00	T05S R16E S26	NWNE	7.70
T05S R16E S26	SWNE	20.00	T05S R16E S26	NENW	17.00
T05S R16E S26	NWNW	31.00	T05S R16E S26	SWNW	5.70
T05S R16E S26	SENE	13.80	T05S R16E S27	NENE	11.00
T05S R16E S27	NWNE	14.00	T05S R16E S27	NENW	24.00
T05S R16E S27	NWNW	40.00	T05S R16E S28	NENE	20.00

245.0 ACRES TOTAL

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IDAHO DEPARTMENT OF WATER RESOURCES
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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. 37M.

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

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