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DEPT. OF
WATER RESOURCES

DISTRICT COURT SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 AUG 14 AM 10 26

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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: 63-5087 (Split)
	)	63-31725, 63-31726
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

XX Point of diversion XX Place of use

☐ Period of use XX Nature of use

XX 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: August 10, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 10, 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
Off ice 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:

Richard M Hormaechea	☐ overnight mail
Mary B Hormaechea	☒ regular mail
PO Box 6887	☐ hand-delivered
Boise ID 83707	☐ facsimile

Aries Development	☐ overnight mail
PO Box 6887	☒ regular mail
Boise ID 83707	☐ hand-delivered
	☐ facsimile



Signature of person mailing this document

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DISTRICT COURT - SABA
TWIN FALLS CO., IDAHO
FILED

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 AUG 14 AM 10 26

RIGHT NUMBER: 63-5087

SPLIT RIGHT: SEE RIGHT NOS. 63-31725 & 63-31726

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DISTRICT COURT - SNBA

IDAHO DEPARTMENT OF WATER RESOURCES LS CO., IDAHO

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 AUG 17 PM 10 26

RIGHT NUMBER: 63-31725

NAME AND ADDRESS: RICHARD M HORMAECHEA
PO BOX 6887
BOISE ID 83707

MARY B HORMAECHEA
PO BOX 6887
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
15.400 AFY

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

PRIORITY DATE: 10/08/1962

POINT OF DIVERSION:

T04N R01W S3 NENW Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.270 CFS
		15.40 AFY

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within ADA County

T04N R01W S03 Lot 3 NENW T04N R01W S03 SENW

DOMESTIC Within ADA County

T04N R01W S03 Lot 3 NENW

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Place of use is located within Parcel No. S0403213500.

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DISTRICT COURT - 13DA
TWIN FALLS CO., IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2006 AUG 14 PM 10 26

RIGHT NUMBER: 63-31726

NAME AND ADDRESS: MARY B HORMAECHEA
PO BOX 6887
BOISE ID 83707

RICHARD M HORMAECHEA
PO BOX 6887
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
14.000 AFY

Rights 63-31726 and 63-31689 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 40.0 af.

PRIORITY DATE: 10/08/1962

POINT OF DIVERSION:

T04N R01E S4 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	14.00 AFY
DIVERSION TO STORAGE	01/01 12/31	0.040 CFS

PLACE OF USE: AESTHETIC STORAGE Within ADA County

T04N R01E S04	NESW	T04N R01E S04	SWSW
T04N R01E S04	SESW	T04N R01E S04	NESE
T04N R01E S04	NWSE	T04N R01E S04	SWSE
T04N R01E S04	SESE		

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 right holder shall accomplish the change authorized by Transfer 70604 within one (1) year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The diversion and use of water described in Transfer 70604 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

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

Right 63-31726 authorizes the diversion of an annual total of 14.0 af to be used for the replacement of losses caused by evaporation from the 5.2 acre total surface area of six (6) ponds established under Right 63-32169.