

COPY

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SEP 06 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF COMPLETED - CRDA
TWIN FALLS CO., IDAHO
FILED _____

2006 SEP 1 PM 1 43

**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	)	Subcase No. 37-239D, 37-240D,
	)	37-607D, 37-608D and 37-2544C
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

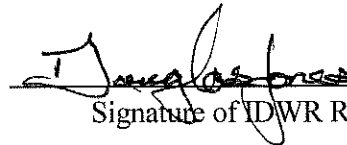
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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 Reports* for said water rights. 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: _____

8/31/06



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/1, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

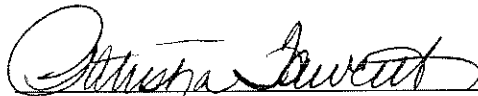
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

Gary Coleman
Carolyn Coleman
1651 Shoestring Rd
Gooding ID 83330

Robert McCabe
Linda Joy McCabe
5201 Wavecrest Way
Oxnard CA 93030

Jo Beeman
409 W Jefferson
Boise ID 83702



Signature of person or attorney mailing the form

08/28/2006

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

RIGHT NUMBER: 37-2544C

NAME AND ADDRESS: GARY R COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

CAROLYN F COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

SOURCE: UNNAMED DRAIN

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.020 CFS
4.00 AFY

PRIORITY DATE: 02/02/1954

POINT OF
DIVERSION: T06S R14E S28 SENENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.020 CFS 4.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S28 NENW 1.00

1 ACRES TOTAL

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 - License

08/28/2006

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

RIGHT NUMBER: 37-608D

NAME AND ADDRESS: GARY R COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

CAROLYN F COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

SOURCE: MALAD RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.422 CFS

This right is subject to a 6% conveyance loss; 0.40 cfs may be diverted from the Malad River.

PRIORITY DATE: 04/15/1887

POINT OF
DIVERSION: T06S R14E S21 SENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.422 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S28	NENW	26.00	T06S R14E S28	NWNW	32.00
T06S R14E S28	SENW	27.00			

85 ACRES TOTAL

RIGHT NOS. 37-607D AND 37-608D ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 85 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 37-239D, 37-240D, 37-607D AND 37-608D ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

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

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.

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 - Decreed

WATER IS DELIVERED THROUGH THE LOWER FROST DITCH.

08/28/2006

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

RIGHT NUMBER: 37-607D

NAME AND ADDRESS: GARY R COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

CAROLYN F COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

SOURCE: MALAD RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.290 CFS

This right is subject to a 6% conveyance loss; 1.21 cfs may be diverted from the Malad River.

PRIORITY DATE: 08/15/1886

POINT OF
DIVERSION: T06S R14E S21 SENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.290 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S28	NENW	26.00	T06S R14E S28	NWNW	32.00
T06S R14E S28	SENW	27.00			

85 ACRES TOTAL

RIGHT NOS. 37-239D, 37-240D, 37-607D AND 37-608D ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 37-607D AND 37-608D ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 85 ACRES IN A SINGLE IRRIGATION SEASON.

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

WATER IS DELIVERED THROUGH THE LOWER FROST DITCH.

08/28/2006

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

RIGHT NUMBER: 37-240D

NAME AND ADDRESS: GARY R COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

CAROLYN F COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

SOURCE: MALAD RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.920 CFS

PRIORITY DATE: 08/29/1895

POINT OF
DIVERSION: T06S R14E S21 SENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.920 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S21	NESW	32.00	T06S R14E S21	NWSW	40.00
T06S R14E S21	SWSW	40.00	T06S R14E S21	SESW	33.00
T06S R14E S28	NENW	29.00	T06S R14E S28	NWNW	33.00
T06S R14E S29	SWNE	41.00	T06S R14E S29	NWNW	32.00
T06S R14E S29	SWNW	30.00	T06S R14E S29	SESW	33.00

343 ACRES TOTAL

RIGHT NOS. 37-239D, 37-240D, 37-607D AND 37-608D ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE
IRRIGATION SEASON.

RIGHT NOS. 37-239D AND 37-240D ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 343 ACRES IN A SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

WATER IS DELIVERED THROUGH THE LOWER FROST DITCH.

08/28/2006

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

RIGHT NUMBER: 37-239D

NAME AND ADDRESS: GARY R COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

CAROLYN F COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

SOURCE: MALAD RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.680 CFS

PRIORITY DATE: 08/29/1884

POINT OF
DIVERSION: T06S R14E S21 SENW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.680 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S21	NESW	32.00	T06S R14E S21	NWSW	40.00
T06S R14E S21	SWSW	40.00	T06S R14E S21	SESW	33.00
T06S R14E S28	NENW	29.00	T06S R14E S28	NWNW	33.00
T06S R14E S29	SWNE	41.00	T06S R14E S29	NWNW	32.00
T06S R14E S29	SWNW	30.00	T06S R14E S29	SESW	33.00

343 ACRES TOTAL

RIGHT NOS. 37-239D AND 37-240D ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 343 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NOS. 37-239D, 37-240D, 37-607D AND 37-608D ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 370 ACRES IN A SINGLE
IRRIGATION SEASON.

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
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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

WATER IS DELIVERED THROUGH THE LOWER FROST DITCH.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

September 1, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

GARY COLEMAN
CAROLYN COLEMAN
1651 SHOESTRING RD
GOODING ID 83330

RE: SRBA Claim(s) 37-239D, 37-240D, 37-607D, 37-608D and
37-2544C

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Josephine Beeman
Beeman & Associates
409 W Jefferson
Boise ID 83702

Robert McCabe
Linda Joy McCabe
5201 Wavecrest Way
Oxnard CA 93030

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUL 14 2000

DEPARTMENT OF WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
37-7191					
37-7379					
37-7476					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *PAID - THANK YOU!!!*
- RECEIVED* B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

MCCABE

4. New Owner/Claimant(s)

GARY COLEMAN CAROLYN COLEMAN

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

1651 SHASTRING RD

City, State and ZIP Code

GOODING ID 83330

New Telephone Number

(208) 934-5907

5. Date you acquired the property

SUPPORT DATA

IN FILE # 37-7191

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Jerry R. Coleman

Carolyn F. Coleman

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date <u>12.30.05</u>	Fees <u>\$25.00 x 3 = \$75.00</u>
Received by <u>M</u>	Date _____	Receipt No. <u>2079934</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Order No. G050456

WARRANTY DEED

For Value Received

ROBERT MCCABE and LINDA JOY MCCABE, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

GARY COLEMAN AND CAROLYN COLEMAN, HUSBAND AND WIFE.

the grantee(s), whose current address is

1651 SHOESTRING ROAD , GOODING, ID 83330

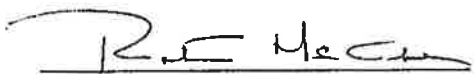
the following described premises, to-wit:

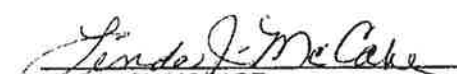
See Attached Exhibit "A"

Grantor herein is to retain a personal, nontransferable, exclusive license for hunting on the real property described herein during the last week of each duck hunting season. Upon reasonable prior request to Grantee herein for hunting access, Grantor and members of their immediate family (relations by blood or marriage within the second degree) will be allowed access to the real property to hunt. The license shall terminate on the death of the surviving Grantor herein. Said license shall only be effective for the last week of each duck hunting season. Grantors agree to indemnify and hold Grantees harmless from all liability which may arise from their use of said license.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: December 27, 2005

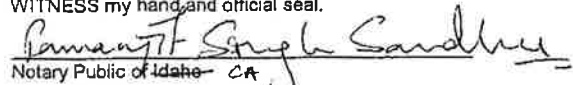

ROBERT MCCABE


LINDA JOY MCCABE

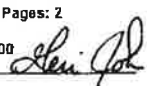
STATE OF ~~IDAHO~~ CA
COUNTY OF VENTURA

On This 23rd day of December, in the year 2005, before me, a Notary Public in and for said State, personally appeared ROBERT MCCABE and LINDA JOY MCCABE, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho - CA
Residing at ~~Filer, Idaho~~
Commission Expires: ~~July 21, 2011~~ May 13th 2009

Instrument # 214391

GOODING, GOODING, IDAHO
2005-12-28 03:31:55 No. of Pages: 2
Recorded for : GOODING TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy 



RECEIVED
DEC 30 2005
DEPARTMENT OF
WATER RESOURCES

EXHIBIT A
G050456

PARCEL 1:

Township 6 South, Range 14 East, Boise Meridian, Gooding County, Idaho

Section 20: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL 2:

Township 6 South, Range 14 East, Boise Meridian, Gooding County, Idaho

Section 21: SW $\frac{1}{4}$

PARCEL 3:

Township 6 South, Range 14 East, Boise Meridian, Gooding County, Idaho

Section 29: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL 4:

Township 6 South, Range 14 East, Boise Meridian, Gooding County, Idaho

Section 28: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$