

COPY

DISTRICT COURT - 228A
TWIN FALLS CO., IDAHO
FILED

2007 JAN 9 AM 10 26

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: 2-10276, 2-10278
and 2-10280

Case No. 39576

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: Jan 2, 2007

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 3, 2007, 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
Office 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:

United States of America Acting Through	RJT Farming, Inc.
USDI Bureau of Land Management	P.O. Box 790
Idaho State Office	Glenns Ferry, ID 83623
1387 S. Vinnell Way	
Boise, ID 83709-1657	

Lonnie Leavell
P.O. Box 54
Gooding, ID 83330

Canyon Bend Ranch, Ltd.
P.O. Box 54
Gooding, ID 83330

Neatherlin Family Limited Partnership II
P.O. Box 54
Gooding, ID 83330



Signature of person mailing this document

01/02/2007

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

RIGHT NUMBER: 2-10276

NAME AND ADDRESS: LONNIE LEAVELL
PO BOX 54
GOODING ID 83330

CANYON BEND RANCH LTD
PO BOX 54
GOODING ID 83330

NEATHERLIN FAMILY LIMITED PARTNERSHIP II
PO BOX 54
GOODING ID 83330

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.000 CFS
450.00 AFY

PRIORITY DATE: 10/23/1968

POINT OF
DIVERSION:

T05S R10E S23 SENW Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

2.000 CFS
450.00 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 October 15 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 in ELMORE County

T05S R10E S22 Lot 11 NESE	2.00	T05S R10E S22 Lot 11 SESE	3.00
T05S R10E S23 NWNE	7.00	T05S R10E S23 SWNE	36.00
T05S R10E S23 Lot 1 NENW	6.00	T05S R10E S23 Lot 2 SWNW	1.00
T05S R10E S23 Lot 2 SENW	38.00	T05S R10E S23 NESW	20.00
T05S R10E S23 Lot 3 NWSW	15.00	T05S R10E S23 NESE	10.00
T05S R10E S23 NWSE	15.00		

153 ACRES TOTAL

This right is limited to the irrigation of 100.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 153 acres in a single irrigation season. Combined Right Nos.: 2-10276, 2-10278, and 2-10280.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

01/02/2007

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

RIGHT NUMBER: 2-10278

NAME AND ADDRESS: LONNIE LEAVELL
PO BOX 54
GOODING ID 83330

CANYON BEND RANCH LTD
PO BOX 54
GOODING ID 83330

NEATHERLIN FAMILY LIMITED PARTNERSHIP II
PO BOX 54
GOODING ID 83330

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.580 CFS
132.90 AFY

PRIORITY DATE: 09/24/1969

POINT OF
DIVERSION:

T05S R10E S23 SENW Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.580 CFS 130.50 AFY
STOCKWATER	01/01 12/31	0.030 CFS 2.40 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 October 15 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 in ELMORE County

T05S R10E S22 Lot 11 NESE	2.00	T05S R10E S22 Lot 11 SESE	3.00
T05S R10E S23 NWNE	7.00	T05S R10E S23 SWNE	36.00
T05S R10E S23 Lot 1 NENW	6.00	T05S R10E S23 Lot 2 SWNW	1.00
T05S R10E S23 Lot 2 SENW	38.00	T05S R10E S23 NESW	20.00
T05S R10E S23 Lot 3 NWSW	15.00	T05S R10E S23 NESE	10.00
T05S R10E S23 NWSE	15.00		

STOCKWATER in ELMORE County

T05S R10E S22 Lot 11 NESE		T05S R10E S22 Lot 11 SESE	
T05S R10E S23 NWNE		T05S R10E S23 SWNE	
T05S R10E S23 Lot 1 NENW		T05S R10E S23 Lot 2 SWNW	
T05S R10E S23 Lot 2 SENW		T05S R10E S23 NESW	
T05S R10E S23 Lot 3 NWSW		T05S R10E S23 NESE	
T05S R10E S23 NWSE			

153 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 153 acres in a single irrigation season. Combined Right Nos.: 2-10276, 2-10278, and 2-10280.

This right is limited to the irrigation of 29.0 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

01/02/2007

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

RIGHT NUMBER: 2-10280

NAME AND ADDRESS: LONNIE LEAVELL
PO BOX 54
GOODING ID 83330CANYON BEND RANCH LTD
PO BOX 54
GOODING ID 83330NEATHERLIN FAMILY LIMITED PARTNERSHIP II
PO BOX 54
GOODING ID 83330

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.480 CFS
110.40 AFY

PRIORITY DATE: 12/07/1972

POINT OF
DIVERSION:

T05S R10E S23 SENW Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.480 CFS 108.00 AFY
STOCKWATER	01/01 12/31	0.040 CFS 2.40 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 October 15 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 in ELMORE County

T05S R10E S22 Lot 11 NESE	2.00	T05S R10E S22 Lot 11 SESE	3.00
T05S R10E S23 NWNE	7.00	T05S R10E S23 SWNE	36.00
T05S R10E S23 Lot 1 NENW	6.00	T05S R10E S23 Lot 2 SWNW	1.00
T05S R10E S23 Lot 2 SENW	38.00	T05S R10E S23 NESW	20.00
T05S R10E S23 Lot 3 NWSW	15.00	T05S R10E S23 NESE	10.00
T05S R10E S23 NWSE	15.00		

STOCKWATER in ELMORE County

T05S R10E S22 Lot 11 NESE		T05S R10E S22 Lot 11 SESE	
T05S R10E S23 NWNE		T05S R10E S23 SWNE	
T05S R10E S23 Lot 1 NENW		T05S R10E S23 Lot 2 SWNW	
T05S R10E S23 Lot 2 SENW		T05S R10E S23 NESW	
T05S R10E S23 Lot 3 NWSW		T05S R10E S23 NESE	
T05S R10E S23 NWSE			

153 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 153 acres in a single irrigation season. Combined Right Nos.: 2-10276, 2-10278, and 2-10280.

This right is limited to the irrigation of 24.0 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.