

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: 67-555B, 67-14101
67-14328

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

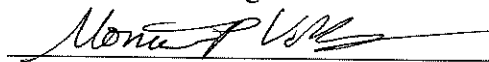
IDWR has completed the following administrative proceeding:

- ☐ 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: 26 Jan 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 1st, 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
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

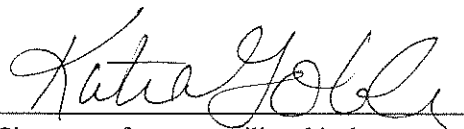
United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

United States of America Acting Through
USDI Bureau of Land Management
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657

Capurro Family Trust
1041 Mann Creek Rd.
Weiser, ID 83672

Allen and Tony Capurro
1041 Mann Creek Rd.
Weiser, ID 83672



Signature of person mailing this document

01/26/2007

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

RIGHT NUMBER: 67-555B

NAME AND ADDRESS: CAPURRO FAMILY TRUST
1041 MANN CREEK RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.370 CFS

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

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

PRIORITY DATE: 04/01/1877

This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

POINT OF
DIVERSION:

T12N R05W S13 SESWSE Within WASHINGTON County
T12N R05W S25 NENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.370 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R05W S25	SENE	31.50	T12N R05W S25	NESE	37.00
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STOCKWATER same as IRRIGATION

68.5 ACRES TOTAL

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

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

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

01/26/2007

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

RIGHT NUMBER: 67-14101

NAME AND ADDRESS: CAPURRO FAMILY TRUST
1041 MANN CREEK RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.710 CFS

This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.

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

PRIORITY DATE: 06/01/1881

This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all other rights that have not been identified as a Primary Right on Mann Creek.

POINT OF
DIVERSION:

T12N R05W S24 SESESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.710 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S07	SENE	23.00	T11N R04W S07	NESE	12.50
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STOCKWATER in WASHINGTON County

T11N R04W S07	SENE	T11N R04W S07	NESE
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35.5 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM -

This right is a combination of old Right Nos.67-537, 67-539.

01/26/2007

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

RIGHT NUMBER: 67-14328

NAME AND ADDRESS: CAPURRO FAMILY TRUST
1041 MANN CREEK RD
WEISER ID 83672

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 06/01/1881

POINT OF
DIVERSION:

T12N R05W S11 SESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.200 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R05W S25

SENE

37.00

T12N R05W S25

NESE

40.00

77 ACRES TOTAL

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

Recommended as Right No. 67-555B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Recommended as Right No. 67-555B: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.