

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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MAR 07 2007

DEPARTMENT OF
WATER RESOURCES

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: 63-31100

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ 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: March 2, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

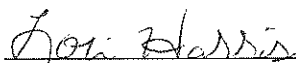
Clive Strong	☐ overnight mail
Office of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

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:

Schulerlane Farms Inc	☐ overnight mail
3997 Bell Ct	☒ regular mail
Nampa ID 83686-1411	☐ hand-delivered
	☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION FOR RIGHTS ACQUIRED UNDER STATE LAW

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MAR 17 2007

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-31100

NAME AND ADDRESS: SCHULERLANE FARMS INC
3997 BELL CT
NAMPA ID 83686-1411

~~1815 CRUSE LN~~
~~NAMPA ID 83687~~

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.450 CFS
82.300 AFY

PRIORITY DATE: 03/25/1963

POINT OF DIVERSION:

T03N R01W S31 NESW Within CANYON County

T03N R01W S31 SESW Within CANYON County

T03N R01W S31 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.200 CFS 46.60 AFY
STOCKWATER	01/01 12/31	0.230 CFS 32.30 AFY
COMMERCIAL	01/01 12/31	0.020 CFS 3.40 AFY

Commercial use is for a dairy.

PLACE OF USE: IRRIGATION in CANYON County

T03N R01W S31 SWSE 10.60

STOCKWATER in CANYON County

T03N R01W S31	NESW	T03N R01W S31	SESW
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COMMERCIAL in CANYON County

T02N R01W S06 Lot 1	NENE	T02N R01W S06 Lot 2	NWNE
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T02N R01W S06	SWNE	T02N R01W S06	SENE
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T03N R01W S31	SWNE	T03N R01W S31	NENW
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T03N R01W S31 Lot 1	NWNW	T03N R01W S31 Lot 2	SWNW
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T03N R01W S31	SENW	T03N R01W S31	NESW
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T03N R01W S31 Lot 3	NWSW	T03N R01W S31 Lot 4	SWSW
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T03N R01W S31	SESW	T03N R01W S31	NWSE
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T03N R01W S31	SWSE
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10.6 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 - Beneficial Use

Prior to diversion of water under Transfer No. 68492, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Right 63-31100 shall not exceed 0.45 cfs, nor total combined annual volume of 82.3 af.

The place of commercial use authorized by Transfer No. 68492 includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

The right holder shall accomplish the change authorized by Transfer No. 68492 within one (1) year of the date of the approval.

Use of water under Transfer No. 68492 shall comply with applicable water quality standards of the Department of Environmental Quality.

Stockwater use is for 480 dairy cattle.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Failure of the right holder to comply with the conditions of Transfer No. 68492 is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall measure the diversion 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.