

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

2007 APR 16 AM 10 49

COPY

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: 01-10026, 01-10027,
01-10520

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party CLARA NEWBY – CLARA & GEORGE NEWBY
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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: 4-11-07

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
CLARA NEWBY
5156 E HEISE RD
RIRIE ID 83443

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
CLARA & GEORGE NEWBY
5156 E HEISE RD
RIRIE ID 83443

4. One copy to:

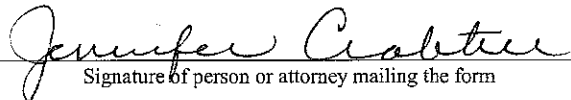
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

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


Signature of person or attorney mailing the form

04/10/2007

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

RIGHT NUMBER: 1-10026
NAME AND ADDRESS: GEORGE NEWBY
5156 E HEISE RD
RIRIE ID 83443

CLARA NEWBY
5156 E HEISE RD
RIRIE ID 83443

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 5.300 CFS
PRIORITY DATE: 05/01/1902

POINT OF
DIVERSION: 104N R41E S31 SENWSW Lot 6 Within JEFFERSON County
104N R41E S31 SWNESE Lot 3 Within JEFFERSON County
104N R41E S31 NWNWE Lot 4 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	5.300 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R41E S31	SWNE	17.00	104N R41E S31	SENE	0.60
104N R41E S31	NENW	3.40	T04N R41E S31 Lot 1 NWNW		5.90
104N R41E S31 Lot 2 SWNW		22.00	104N R41E S31	SENE	36.00
104N R41E S31 Lot 5 NESW		15.00	T04N R41E S31 Lot 6 NWSW		0.30
104N R41E S31 Lot 3 NESE		9.80	104N R41E S31 Lot 4 NWSE		19.00

129 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 129.0 acres in a single irrigation season. Combined Right Nos.: 1-10026, 1-10027, and 1-10520.

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 - Decreed

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

Water is delivered through Newby Pumps.

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

This right is a split from former right 01-00072

04/10/2007

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

RIGHT NUMBER: 1-10027

NAME AND ADDRESS: GEORGE NEWBY
5156 E HEISE RD
RIRIE ID 83443

CLARA NEWBY
5156 E HEISE RD
RIRIE ID 83443

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2 100 CFS

PRIORITY DATE: 04/19/1945

POINT OF

DIVERSION: I04N R41E S31 SENWSW Lot 6 Within JEFFERSON County
I04N R41E S31 NWNWE Lot 4 Within JEFFERSON County
I04N R41E S31 SWESE Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.100 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

I04N R41E S31	SWNE	17.00	I04N R41E S31	SENE	0.60
I04N R41E S31	NENW	3.40	I04N R41E S31 Lot 1	NWNW	5.90
I04N R41E S31 Lot 2	SWNW	22.00	I04N R41E S31	SENE	36.00
I04N R41E S31 Lot 5	NESW	15.00	I04N R41E S31 Lot 6	NWSW	0.30
I04N R41E S31 Lot 3	NESE	9.80	I04N R41E S31 Lot 4	NWSE	19.00

129 ACRES TOTAL

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

Use of this right with the rights listed below is limited to the irrigation of a combined total of 129.0 acres in a single irrigation season. Combined Right Nos.: 1-10026, 1-10027, and 1-10520.

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

This right is a split from former right 25-2103

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

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

Water is delivered through Newby Pumps.

04/10/2007

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

RIGHT NUMBER: 1-10520

NAME AND ADDRESS: GEORGE NEWBY
5156 E HEISE RD
RIRIE ID 83443

CLARA NEWBY
5156 E HEISE RD
RIRIE ID 83443

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.390 CFS

PRIORITY DATE: 04/01/1939

POINT OF

DIVERSION: 104N R41E S31 SENSW Lot 6 Within JEFFERSON County
104N R41E S31 NWNWSE Lot 4 Within JEFFERSON County
104N R41E S31 SWSESE Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	5.390 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R41E S31	SWNE	17.00	104N R41E S31	SENE	0.60
104N R41E S31	NENW	3.40	104N R41E S31 Lot 1	NWNW	5.90
104N R41E S31 Lot 2	SWNW	22.00	104N R41E S31	SENE	36.00
104N R41E S31 Lot 5	NESW	15.00	104N R41E S31 Lot 6	NWSW	0.30
104N R41E S31 Lot 3	NESE	9.80	104N R41E S31 Lot 4	NWSE	19.00

129 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 129.0 acres in a single irrigation season. Combined Right Nos.: 1-10026, 1-10027, and 1-10520.

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 delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

This right is a split from former right 1-321.

Water is delivered through Newby Pumps.