

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: 01-181C

Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding:

- | | | |
|-------------------------------------|------------------------|---|
| ☐ | Address change | |
| ☐ | Substitution of Party | |
| ☒ | I.C. § 42-222 transfer | 72385 |
| ☒ | 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:
NEW SWEDEN IRRIGATION DISTRICT
2350 W 1700 S
IDAHO FALLS ID 83402

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

4. One copy to:

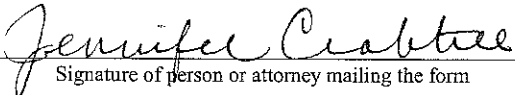
Each party in the subcase, or attorney of record
N/A

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

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

RIGHT NUMBER: 1-181C

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

IRIBUIARY: COLUMBIA RIVER

QUANTITY: 46.000 CFS
2,466.80 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works both of which shall be of a type approved by the Department and that will provide the watermaster suitable control of the diversion(s).

The reservoir established by the storage of water under this right shall not exceed a total capacity of 1100 acre feet or a total surface area of 73 acres. This right authorizes additional storage in the amount of 186 afa to make up losses from evaporation and 980 8 afa for seepage losses.

PRIORITY DATE: 06/16/1900

POINT OF
DIVERSION:

T02S R35E S27 SWNE Lot 9 Within BINGHAM County
I02S R35E S27 NESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	200.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	200 00 AFY
DIVERSION TO STORAGE	04/01 10/31	46.000 CFS
RECREATION STORAGE	01/01 12/31	2,266.80 AFY
IRRIGATION	04/01 10/31	1.000 CFS 200.00 AFY

PLACE OF USE: IRRIGATION in BINGHAM County

T02S R35E S27 Tract 38 NESW	0 70	T02S R35E S27 Lot 17 NESW	0 50
T02S R35E S27 Tract 38 SESW	6 80	T02S R35E S27 Tract 39 SESW	2 10
T02S R35E S27 Lot 18 SESW	0 80	T02S R35E S33 Lot 10 NESE	9 10
T02S R35E S33 Lot 11 NWSE	0 70	T02S R35E S33 Lot 11 SWSE	0 60
T02S R35E S33 Lot 10 SESE	1 10	T02S R35E S34 Tract 39 NWNE	1 80
T02S R35E S34 Tract 38 NENW	5 60	T02S R35E S34 Tract 39 NENW	8 50
T02S R35E S34 Lot 11 NENW	0 50	T02S R35E S34 Tract 38 SWNW	4 00
T02S R35E S34 Tract 39 SWNW	1 50	T02S R35E S34 SWNW	0 40
T02S R35E S34 Lot 11 SWNW	1 40	T02S R35E S34 Tract 39 SENW	1 10
T02S R35E S34 NWSW	0 20	T02S R35E S34 Tract 39 NWSW	2 10
T02S R35E S34 Tract 41 NWSW	0 50		

50 ACRES TOTAL

IRRIGATION STORAGE in BINGHAM County

T02S R35E S27	SWSW	T02S R35E S27 Lot 15	SWSW
T02S R35E S27 Lot 18	SWSW	T02S R35E S27	SESW
T02S R35E S27 Lot 15	SESW	T02S R35E S27 Lot 18	SESW
T02S R35E S33 Tract 42	SENE	T02S R35E S33 Tract 42	NESE
T02S R35E S33	NESE	T02S R35E S33 Lot 10	NESE
T02S R35E S34	NWNW	T02S R35E S34 Lot 6	NWNW
T02S R35E S34 Lot 11	NWNW	T02S R35E S34	SWNW
T02S R35E S34 Lot 7	SWNW	T02S R35E S34 Lot 11	SWNW
T02S R35E S34 Tract 39	NWSW	T02S R35E S34	NWSW
T02S R35E S34 Lot 7	NWSW		

IRRIGATION FROM STORAGE same as IRRIGATION

RECREATION STORAGE same as IRRIGATION STORAGE

The place of use for irrigation under this right includes portions of Tract 38 in NESW and SESW of section 27, and NENW and SWNW of section 34; portions of Tract 39 in SESW of section 27, NWNE, NENW, SWNW, SENW, and NWSW of section 34; and a portion of Tract 41 in NWSW of section 34.

The place of use for the storage elements of this right includes portions of Tract 42 in SENE and NESE of section 33, and a portion of Tract 39 in NWSW of section 34.

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

The diversion and use of water under Transfer No. 72385 is subject to additional conditions and limitations contained in a Settlement Agreement-IDWR Transfer of Water Right, Transfer No. 72385, dated June 2006, including any properly executed amendments thereto, entered into by and between the New Sweden Irrigation District, the City of Blackfoot, A & B Irrigation District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, Twin Falls Canal Company, and North Side Canal Company. The Settlement Agreement has been recorded in Bingham County (Instrument No. 575897) and Bonneville County (Instrument No. 1249899) and is enforceable by the parties thereto.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of the approval of Transfer No. 72385, this water right was within State Water District No. 01.

Failure of the right holder to comply with the conditions of Transfer No. 72385 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer No. 72385 by February 14, 2008.