

COPY

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

2007 MAY 2 AM 11 55

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	)	Subcase No. 2-10275, 2-10277, 2-10279
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

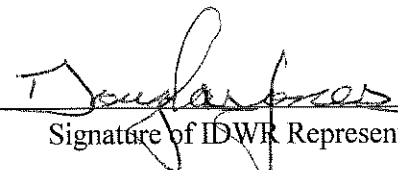
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 5/1/07



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/2, 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
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

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

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

Lonnie Leavell
Canyon Bend Ranch Ltd.
Neatherlin Family Ltd. Partnership
PO Box 54
Gooding ID 83330

ARK Properties LLC
11204 N Bar 21 Dr
Glenns Ferry ID 83623-5033



Signature of person or attorney mailing the form

03/12/2007

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

RIGHT NUMBER: 2-10275

NAME AND ADDRESS: ALONZO B 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: 1.400 CFS
315.00 AFY

PRIORITY DATE: 10/23/1968

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	1.400 CFS 315.00 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 S14	NESW	6.50	T05S R10E S14 Lot 6 NESW	2.20
T05S R10E S14	SESW	4.00	T05S R10E S14 Lot 6 SESW	19.00
T05S R10E S14	NWSE	2.50	T05S R10E S14 Lot 7 NWSE	26.00
T05S R10E S14	SWSE	21.00	T05S R10E S23	NWNE 4.60
T05S R10E S23 Lot 1 NENW		21.00	T05S R10E S23 Lot 2 SENW	0.20

107 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 107 acres in a single irrigation season. Combined Right Nos.: 2-10275, 2-10277, and 2-10279.

Place of use in NESW and SESW of Section 14 is unsurveyed accretion land adjacent to Lot 6.

This right is limited to the irrigation of 70.0 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.

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.

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

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

03/12/2007

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

RIGHT NUMBER: 2-10277

NAME AND ADDRESS: ALONZO B 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: 0.420 CFS
96.20 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	0.420 CFS 94.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS 1.70 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 S14	NESW	6.50	T05S R10E S14 Lot 6	NESW	2.20
T05S R10E S14	SESW	4.00	T05S R10E S14 Lot 6	SESW	19.00
T05S R10E S14	NWSE	2.50	T05S R10E S14 Lot 7	NWSE	26.00
T05S R10E S14	SWSE	21.00	T05S R10E S23	NWNE	4.60
T05S R10E S23 Lot 1	NENW	21.00	T05S R10E S23 Lot 2	SENW	0.20

STOCKWATER in ELMORE County

T05S R10E S14	NESW	T05S R10E S14 Lot 6	NESW
T05S R10E S14	SESW	T05S R10E S14 Lot 6	SESW
T05S R10E S14	NWSE	T05S R10E S14 Lot 7	NWSE
T05S R10E S14	SWSE	T05S R10E S23	NWNE
T05S R10E S23 Lot 1	NENW	T05S R10E S23 Lot 2	SENW

107 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 107 acres in a single irrigation season. Combined Right Nos.: 2-10275, 2-10277, and 2-10279.

This right is limited to the irrigation of 21.0 acres within the place of use described above in a single irrigation season.

Place of use in NESW and SESW of Section 14 is unsurveyed accretion land adjacent to Lot 6.

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

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.

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

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.

03/12/2007

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

RIGHT NUMBER: 2-10279

NAME AND ADDRESS: ALONZO B 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: 0.320 CFS
73.70 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	0.320 CFS 72.00 AFY
STOCKWATER	01/01 12/31	0.030 CFS 1.70 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 S14	NESW	6.50	T05S R10E S14 Lot 6	NESW	2.20
T05S R10E S14	SESW	4.00	T05S R10E S14 Lot 6	SESW	19.00
T05S R10E S14	NWSE	2.50	T05S R10E S14 Lot 7	NWSE	26.00
T05S R10E S14	SWSE	21.00	T05S R10E S23	NWNE	4.60
T05S R10E S23 Lot 1	NENW	21.00	T05S R10E S23 Lot 2	SENW	0.20

STOCKWATER in ELMORE County

T05S R10E S14	NESW	T05S R10E S14 Lot 6	NESW
T05S R10E S14	SESW	T05S R10E S14 Lot 6	SESW
T05S R10E S14	NWSE	T05S R10E S14 Lot 7	NWSE
T05S R10E S14	SWSE	T05S R10E S23	NWNE
T05S R10E S23 Lot 1	NENW	T05S R10E S23 Lot 2	SENW

107 ACRES TOTAL

Place of use in NESW and SESW of Section 14 is unsurveyed accretion land adjacent to Lot 6.

The rights listed below are limited to the irrigation of a combined total of 107 acres in a single irrigation season. Combined Right Nos.: 2-10275, 2-10277, and 2-10279.

This right is limited to the irrigation of 16.0 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.

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.

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.