

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

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DEPARTMENT OF
WATER RESOURCES

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:

35-7632B (split into 35-13599 & 35-13600)

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 **72857**

☒ point of diversion

☒ place of use

☐ period of use

☐ nature of use

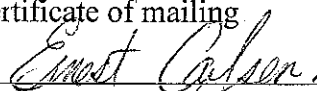
☒ split of water right

☐ 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: 21 June 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 25, 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:

PAUL W BEHREND	KRISTIN R BEHREND	GREGORY W KNITTEL
DEBRA J BEHREND	NICHOLAS P BEHREND	JENNECCA S KNITTEL
2706 W 1800 S	2976 W 2000 S	1780 S 2800 W
ABERDEEN ID 83210	ABERDEEN ID 83210	ABERDEEN ID 83210

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record

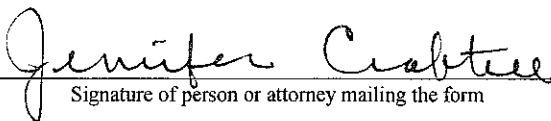
JEFFREY FEREDAY	JOHN SIMPSON
GIVENS PURSLEY LAW OFFICE	ROSHOLT ROBERISON & TUCKER
PO BOX 2720	PO BOX 2139
BOISE ID 83701-2720	BOISE ID 83701

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 DEPARIMENT OF WAIER RESOURCES
DIRECIOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER SIAIE LAW

RIGHT NUMBER: 35-7632B

Split Right: See Nos. 35-13599 & 35-13600

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

RIGHT NUMBER: 35-13599

NAME AND ADDRESS: GREGORY W KNIEBEL
1780 S 2800 W
ABERDEEN ID 83210

DEBRA J BEHREND
2706 W 1800 S
ABERDEEN ID 83210

PAUL W BEHREND
2706 W 1800 S
ABERDEEN ID 83210

KRISTIN R BEHREND
2976 W 2000 S
ABERDEEN ID 83210

JENNECCA S KNIEBEL
1780 S 2800 W
ABERDEEN ID 83210

NICHOLAS P BEHREND
2976 W 2000 S
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.240 CFS
774.40 AFY

The rights listed below are limited to a total combined diversion rate of 3.24 cfs and to a total combined annual diversion volume of 848 AF. Combined Right Nos.: 35-13599, 35-13596, 35-13598.

PRIORITY DATE: 08/05/1976

POINT OF DIVERSION: I05S R29E S13 SWSE Within POWER County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.240 CFS 774.40 AFY

PLACE OF USE: IRRIGATION in POWER County

I05S R29E S13	NESW	39.80	I05S R29E S13	SWSW	5.60
I05S R29E S13	SESW	38.60	I05S R29E S13	NESE	32.00
I05S R29E S13	NWSE	32.00	I05S R29E S13	SWSE	32.00
I05S R29E S13	SESE	32.00			

212 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 212 acres in a single irrigation season. Combined Right Nos.: 35-13599, 35-13596, 35-13598

This right is limited to the irrigation of 193.6 acres within the place of use described above in a single irrigation season.

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

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

Right Nos. 35-13596 and 35-13598 are an enlargement of this right pursuant
to Section 42-1426, Idaho Code.

The following rights are also diverted through point of diversion described
above: 35-13596, 35-13598.

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW
Right Nos. 35-7835, 35-13597, and 35-13600 are limited to the irrigation of a combined total of 312 acres in a single irrigation season.

This right is limited to the irrigation of 68.4 acres within the place of use described above in a single irrigation season.

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Failure of the right holder to comply with the conditions of transfer 72857 is cause for the Director to rescind approval of the transfer.

Prior to the diversion and use of water under transfer approval 72857, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by transfer 72857 within one year of May 11, 2007.

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. As of May 11, 2007, this water right is within State Water District No. 120.

Right No. 35-13597 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.