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DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
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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

) Water Rights: 2-7109, 63-2631A,  
) 63-2631C, 63-2632A, 63-2632C  
)

Case No. 39576

) NOTICE OF COMPLETED  
) ADMINISTRATIVE PROCEEDING  
)

IDWR has completed the following administrative proceeding:

- ☐ Address change  
☒ Substitution of Party  
☐ IC § 42-222

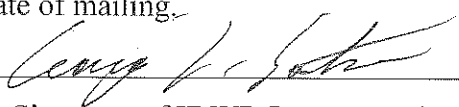
- ☐ Point of diversion ☐ Place of use  
☐ Period of use ☐ Nature of use  
☐ Split of water right ☐ Change in ownership

☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 6-27-07

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on June 28, 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  
P.O. Box 2707  
Twin Falls, ID 83303-2707

### 2. Copies to:

Clive Strong  
Off ice of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

Jeanette Wolfley  
Wolfley Law Office  
202 N. Arthur  
Pocatello, ID 83204

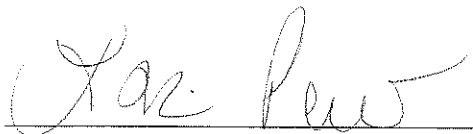
United States Dept of Justice  
Environment & Natural Resource Div  
550 W. Fort St. MSC 033  
Boise, ID 83724

### 3. Copies to all parties to the subcase:

Kasper Land and Cattle, LLC  
3349 Hill Rd.  
Melba, ID 83641

Eastern Western Corp.  
1426 S.E. Gideon St.  
Portland, OR 97208-3228

Bruce M. Smith  
Moore Smith Buxton & Turcke, Chtd.  
950 W. Bannock, Ste. 520  
Boise, ID 83702

  
Signature of person mailing this document

06/27/2007

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

RIGHT NUMBER: 2-7109

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC  
3349 HILL RD  
MELBA ID 83641

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 11.870 CFS

This right when combined with Right Nos. 63-2712, 63-2955, 63-2631A, 63-2631B, 63-2632A, 63-2632B, and 63-3099 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 03/03/1973

POINT OF  
DIVERSION:

T01S R02W S21 SWNW Lot 3 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 1/01 12/31           | 0.230 CFS       |
| IRRIGATION            | 3/15 11/15           | 11.870 CFS      |

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 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 CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R02W S16 | NENE | 33.00 | T01S R02W S16 | NWNE | 20.00 |
| T01S R02W S16 | SWNE | 36.00 | T01S R02W S16 | SENE | 36.00 |
| T01S R02W S16 | NENW | 31.00 | T01S R02W S16 | NWNW | 36.00 |
| T01S R02W S16 | SWNW | 29.00 | T01S R02W S16 | SENW | 36.00 |
| T01S R02W S16 | NESW | 36.00 | T01S R02W S16 | NWSW | 36.00 |
| T01S R02W S16 | SWSW | 35.00 | T01S R02W S16 | SESW | 35.00 |
| T01S R02W S16 | NESE | 35.00 | T01S R02W S16 | NWSE | 36.00 |
| T01S R02W S16 | SWSE | 37.00 | T01S R02W S16 | SESE | 37.00 |
| T01S R02W S21 | SWNE | 40.00 | T01S R02W S21 | SENE | 40.00 |
| T01S R02W S21 | SENW | 29.00 | T01S R02W S21 | NESE | 37.00 |
| T01S R02W S21 | NWSE | 11.00 | T01S R02W S21 | SESE | 8.00  |
| T01S R02W S22 | NENW | 8.00  | T01S R02W S22 | NWNW | 38.00 |
| T01S R02W S22 | SWNW | 40.00 | T01S R02W S22 | SENW | 31.00 |
| T01S R02W S22 | NESW | 36.00 | T01S R02W S22 | NWSW | 37.00 |
| T01S R02W S22 | SWSW | 40.00 | T01S R02W S22 | SESW | 40.00 |

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R02W S22 | NWSE | 30.00 | T01S R02W S22 | SWSE | 39.00 |
| T01S R02W S22 | SESE | 2.00  |               |      |       |

STOCKWATER same as IRRIGATION

1050 ACRES TOTAL

Right Nos. 2-7109, 63-2712, 63-2955, 63-2631A, 63-2631B, 63-2632A, 63-2632B and 63-3099 are limited to the irrigation of a combined total of 1729 acres 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

06/27/2007

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

RIGHT NUMBER: 63-2631A

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC  
3349 HILL RD  
MELEA ID 83641

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 3.920 CFS

PRIORITY DATE: 06/21/1946

POINT OF  
DIVERSION:

T01S R02W S22 SWNE 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          | 3.920 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|                          |      |       |               |      |       |
|--------------------------|------|-------|---------------|------|-------|
| T01S R02W S21            | NENE | 5.00  | T01S R02W S21 | NWNE | 30.00 |
| T01S R02W S21            | SWNE | 40.00 | T01S R02W S21 | SENE | 34.00 |
| T01S R02W S21 Lot 2 NESW |      | 2.00  | T01S R02W S21 | NESE | 28.00 |
| T01S R02W S21            | NWSE | 40.00 | T01S R02W S21 | SESE | 17.00 |

196 ACRES TOTAL

Right Nos. 63-2631A and 63-2632A are limited to the irrigation of a combined total of 324 acres 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

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

06/27/2007

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

RIGHT NUMBER: 63-2631C

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC  
3349 HILL RD  
MELBA ID 83641

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 1.860 CFS

PRIORITY DATE: 08/30/1947

POINT OF  
DIVERSION:

T01S R02W S22 SWNE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u>          |
|---------------|------------------------------------|----------------------|--------------------------|
|               | IRRIGATION                         | 3/15 11/15           | 1.860 CFS                |
| PLACE OF USE: | <u>IRRIGATION in CANYON County</u> |                      |                          |
|               | T01S R02W S22 NENW                 | 8.00                 | T01S R02W S22 SWSW 35.00 |
|               | T01S R02W S22 SESW                 | 40.00                | T01S R02W S22 NESE 10.00 |
|               | T01S R02W S22 NWSE                 | 10.00                | T01S R02W S22 SWSE 10.00 |
|               | T01S R02W S22 SESE                 | 30.00                | T01S R02W S27 NENW 7.00  |
|               | T01S R02W S27 NWNW                 | 15.00                |                          |

165 ACRES TOTAL

Right Nos. 63-2631C and 63-2632C are limited to the irrigation of a combined total of 165 acres 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

06/27/2007

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

RIGHT NUMBER: 63-2632A

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC  
3349 HILL RD  
MELBA ID 83641

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 2.600 CFS

PRIORITY DATE: 06/21/1946

POINT OF  
DIVERSION:

T01S R02W S22 SWNE 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          | 2.600 CFS                |
| PLACE OF USE: | <u>IRRIGATION in CANYON County</u> |                      |                          |
|               | T01S R02W S22 NWNW                 | 20.00                | T01S R02W S22 SWNW 20.00 |
|               | T01S R02W S22 SENW                 | 20.00                | T01S R02W S22 NESW 40.00 |
|               | T01S R02W S22 NWSW                 | 30.00                |                          |

130 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 - License

06/27/2007

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

RIGHT NUMBER: 63-2632C

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC  
3349 HILL RD  
MELBA ID 83641

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 1.050 CFS

PRIORITY DATE: 08/30/1947

POINT OF  
DIVERSION:

T01S R02W S22 SWNE 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          | 1.050 CFS       |
| PLACE OF USE: | <u>IRRIGATION in CANYON County</u> |                      |                 |
|               | T01S R02W S22 NENW 8.00            | T01S R02W S22 SWSW   | 35.00           |
|               | T01S R02W S22 SESW 40.00           | T01S R02W S22 NESE   | 10.00           |
|               | T01S R02W S22 NWSE 10.00           | T01S R02W S22 SWSE   | 10.00           |
|               | T01S R02W S22 SESE 30.00           | T01S R02W S27 NENW   | 7.00            |
|               | T01S R02W S27 NWNW 15.00           |                      |                 |

165 ACRES TOTAL

Right Nos. 63-2631C and 63-2632C are limited to the irrigation of a combined total of 165 acres 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