

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:

22-565 split into 22-13726 and 22-13727

22-2212 split into 22-13728 and 22-13729

22-11996 split into 22-13730 and 22-13731

Case No. 39576

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)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) PACKSADDLE – WADE & PACKSADDLE
- ☐ 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: July 13, 2007

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 17, 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:
PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

3. One copy to:

Claimant/**Purchaser** for Substitution of Party, or attorney of record:
PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

LYNNET WADE
3696 SILVERWOOD CIR
IDAHO FALLS ID 83406-4669

4. One copy to:

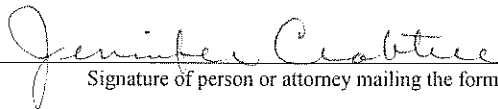
Each party in the subcase, or attorney of record
N/A

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
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-565

Split Right: See Nos. 22-13726 & 22-13727

06/26/2007

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

RIGHT NUMBER: 22-13726

NAME AND ADDRESS: LYNNET WADE
3696 SILVERWOOD CIR
IDAHO FALLS ID 83406-4669

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.360 CFS

The rights listed below are limited to a total combined diversion rate of 0.36 cfs. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

PRIORITY DATE: 06/15/1897

POINT OF
DIVERSION:
T06N R45E S33 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.360 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S06 Lot 6 NWSW 17.00

17 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 17 acres in a single irrigation season. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

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

Water is delivered through Bell McCracken Ditch.

This right is a split from former right 22-565 .

06/26/2007

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

RIGHT NUMBER: 22-13727

NAME AND ADDRESS: PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 2.840 CFS

The rights listed below are limited to a total combined diversion rate of 2.84 cfs. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

PRIORITY DATE: 06/15/1897

POINT OF
DIVERSION:

T06N R45E S33 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	2.840 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T05N R45E S06 NESW 39.00	T05N R45E S06 Lot 6 NWSW	20.00
	T05N R45E S06 Lot 7 SWSW 38.00	T05N R45E S06 SESW	36.00

133 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133 acres in a single irrigation season. Combined Right Nos.: 22-13727, 22-13729, 22-13721.

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

This right is a split from former right 22-565 .

Water is delivered through Bell McCracken Ditch.

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2212

Split Right: See Nos. 22-13728 & 22-13729

06/26/2007

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

RIGHT NUMBER: 22-13728

NAME AND ADDRESS: LYNNET WADE
3696 SILVERWOOD CIR
IDAHO FALLS ID 83406-4669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
45.60 AFY

The rights listed below are limited to a total combined diversion rate of 0.36 cfs. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

The rights listed below are limited to a total combined diversion rate of 0.24 cfs and to a total combined annual diversion volume of 51.9 AF. Combined Right Nos.: 22-13728, 22-13730.

PRIORITY DATE: 08/09/1961

POINT OF
DIVERSION:

T05N R45E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	0.240 CFS 45.60 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 1 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 TETON County

T05N R45E S06 Lot 6 NWSW 17.00

17 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 17 acres in a single irrigation season. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

This right is limited to the irrigation of 15.2 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

Right no. 22-13730 is also diverted through point of diversion described above.

Right No. 22-13730 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

This right is a split from former right 22-2212 .

06/26/2007

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

RIGHT NUMBER: 22-13729

NAME AND ADDRESS: PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
356.40 AFY

The rights listed below are limited to a total combined diversion rate of 2.84 cfs. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

The rights listed below are limited to a total combined diversion rate of 1.92 cfs and to a total combined annual diversion volume of 406.1 AF. Combined Right Nos.: 22-13729, 22-13731.

PRIORITY DATE: 08/09/1961

POINT OF
DIVERSION:

T05N R45E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	1.920 CFS 356.40 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 1 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 TETON County

T05N R45E S06	NESW	39.00	T05N R45E S06 Lot 6 NWSW	20.00	
T05N R45E S06 Lot 7 SWSW		38.00	T05N R45E S06	SES	36.00

133 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133 acres in a single irrigation season. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

This right is limited to the irrigation of 118.8 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

Right No. 22-13731 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

This right is a split from former right 22-2212.

Right no. 22-13731 is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-11996

Split Right: See Nos. 22-13730 & 22-13731

06/26/2007

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

RIGHT NUMBER: 22-13730

NAME AND ADDRESS: LYNNET WADE
3696 SILVERWOOD CIR
IDAHO FALLS ID 83406-4669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
6.35 AFY

The rights listed below are limited to a total combined diversion rate of 0.24 cfs and to a total combined annual diversion volume of 51.9 AF. Combined Right Nos.: 22-13728, 22-13730.

The rights listed below are limited to a total combined diversion rate of 0.36 cfs. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

PRIORITY DATE: 08/09/1981

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T05N R45E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.020 CFS 6.35 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S06 Lot 6 NWSW 17.00

17 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 17 acres in a single irrigation season. Combined Right Nos.: 22-13726, 22-13728, 22-13730.

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

This right is based upon an enlargement of Right No. 22-13728 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

Right no. 22-2212 is also diverted through point of diversion described above.

This right is a split from former right 22-11996 .

This right is for an enlargement of 1.8 acres within the place of use described for this right.

06/26/2007

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

RIGHT NUMBER: 22-13731

NAME AND ADDRESS: PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
49.65 AFY

The rights listed below are limited to a total combined diversion rate of 2.84 cfs. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

The rights listed below are limited to a total combined diversion rate of 1.92 cfs and to a total combined annual diversion volume of 406.1 AF. Combined Right Nos.: 22-13729, 22-13731.

PRIORITY DATE: 08/09/1981

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T05N R45E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.180 CFS 49.65 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S06	NESW	39.00	T05N R45E S06 Lot 6 NWSW	20.00	
T05N R45E S06 Lot 7	SWSW	38.00	T05N R45E S06	SES	36.00

133 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133 acres in a single irrigation season. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

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

This right is based upon an enlargement of Right No. 22-13729 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

This right is a split from former right 22-11996.

Right no. 22-13729 is also diverted through point of diversion described above.

This right is for an enlargement of 14.2 acres within the place of use described for this right.