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TWIN FALLS CO., IDAHO
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DEPARTMENT OF
WATER RESOURCES

2007 AUG 15 AM 10 33

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 Right: 37-13130 (Split)
	)	37-22188, 37-22189
	)	
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
	)	PROCEEDING

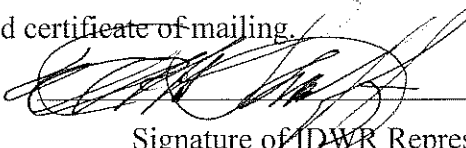
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
 - ☐ Split of water right
 - ☐ Change in ownership
- ☒ IC § 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 right 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 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: Aug 9, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 13, 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

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

3. Copies to all parties to the subcase:

Simon Farms, Inc.
P.O. Box 403
Fairfield, ID 83327



Signature of person mailing this document

08/9/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-13130	SIMON FARMS INC PO BOX 403 FAIRFIELD ID 83327	Disallowed	Recommended as Right Nos. 37-22188 & 37-22189

08/08/2007

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

RIGHT NUMBER: 37-22188

NAME AND ADDRESS: SIMON FARMS INC
PO BOX 403
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.010 CFS
250.60 AFY

The rights listed below are limited to a total combined diversion rate of 6.08 cfs and to a total combined annual diversion volume of 2174.8 AF.
Combined Right Nos.: 37-22184, 37-22186, and 37-22188.

PRIORITY DATE: 09/21/1976

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:

T01S R15E S17 SENESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.010 CFS 250.60 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S04	SWNW	5.20	T01S R15E S04	SENW	6.10
T01S R15E S04	NESW	39.00	T01S R15E S04	NWSW	37.00
T01S R15E S04	SWSW	35.90	T01S R15E S04	SESW	30.00
T01S R15E S09	NENW	38.00	T01S R15E S09	NWNW	39.00
T01S R15E S09	SWNW	39.00	T01S R15E S09	SENW	31.00
T01S R15E S09	NESW	36.00	T01S R15E S09	NWSW	39.00
T01S R15E S09	SWSW	36.00	T01S R15E S09	SESW	32.00

443.2 ACRES TOTAL

This right is limited to the irrigation of 71.6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 443.2 acres in a single irrigation season. Combined Right Nos.: 37-22186 and 37-22188.

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

This right is based upon an enlargement of Right No. 37-22186 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

This right is for an enlargement of 71.6 acres within the place of use described for this right.

This right is a split from former right 37-13130.

08/09/2007

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

RIGHT NUMBER: 37-22189

NAME AND ADDRESS: SIMON FARMS INC
PO BOX 403
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
25.90 AFY

Rights 37-22187 and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 141.1 af.

Rights 37-21724, 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 4.99 cfs, a total annual maximum diversion volume of 1385.7 af.

Rights 37-22185, 37-22187, and 37-22189 when combined shall not exceed a total diversion rate of 0.63 cfs, a total annual maximum diversion volume of 279.7 af.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/21/1976

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:

T01S R15E S21 SWSENE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.100 CFS 25.90 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S21	NENE	34.00	T01S R15E S21	NWNE	34.00
T01S R15E S21	SWNE	34.00	T01S R15E S21	SENE	34.00
T01S R15E S21	NESE	34.00	T01S R15E S21	SESE	34.00
T01S R15E S22	NENW	34.00	T01S R15E S22	NWNW	34.00
T01S R15E S22	SWNW	34.00	T01S R15E S22	SENW	34.00
T01S R15E S22	NWSW	34.00	T01S R15E S22	SWSW	34.00

408 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 408 acres in a single irrigation season. Combined Right Nos.: 37-21724, 37-22185, 37-22187 and 37-22189.

This right is limited to the irrigation of 7.4 acres within the place of use described above in a single irrigation season.

Rights 37-22187 and 37-22189 when combined shall not exceed a total irrigation of 45.8 acres.

Rights 37-22185, 37-22187 and 37-22189 when combined shall not exceed a total irrigation of 92 acres.

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

This right is based upon an enlargement of Right No. 37-22187 pursuant to Section 42-1426, Idaho Code.

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 is a split from former right 37-13130.