

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: 63-2881A, 63-2983A
	)	63-8408A, 63-8776
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |
- ☐ IC § 42-219 license

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 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: August 24, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 24, 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	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

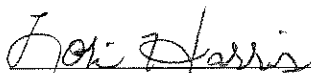
Clive Strong	☐	overnight mail
Office of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Sunset Hills Irrigation Co.	☐	overnight mail
16645 Plum Rd.	☒	regular mail
Caldwell ID 83607	☐	hand-delivered
	☐	facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document

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

RIGHT NUMBER: 63-2881A

NAME AND ADDRESS: SUNSET HILLS IRRIGATION CO
16645 PLUM RD
CALDWELL ID 83607

SUNSET HILLS CORP
C/O BRUCE BARTLETT
RT-6
32166 HOMEDALE RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.840 CFS

Rights 63-8776 and 63-2881A when combined shall not exceed a total annual maximum diversion volume of 310.5 af at the field headgate, and the irrigation of 69 acres.

PRIORITY DATE: 10/06/1951

POINT OF DIVERSION:

T03N R04W S5 SESESE 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	0.840 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S05	SWSE	25.00	T03N R04W S05	SESE	30.00
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55 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

Use of this right is combined with water from Wilder Irrigation District.

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RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 63-2983A
NAME AND ADDRESS: SUNSET HILLS IRRIGATION CO
16645 PLUM RD
CALDWELL ID 83607

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DEPARTMENT OF
WATER RESOURCES

~~SUNSET HILLS CORP~~
~~C/O BRUCE BARTLETT~~
~~RT-6~~
~~22166 HOMEDALE RD~~
~~CALDWELL ID 83605~~

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SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.760 CFS

The total instantaneous diversion of water from all points of diversion under Rights 63-2983A and 63-8408A shall not exceed 2.01 cfs, nor total combined annual volume of 742.5 af for the irrigation of 165.0 acres.

PRIORITY DATE: 02/25/1954

POINT OF DIVERSION:

T04N R04W S33 SWSESW Within CANYON County
T04N R04W S33 SWSESW 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	0.760 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S05	SWNE	40.00	T03N R04W S05	SENE	11.00
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51 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

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 measure the diversion 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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Right No. 63-8408A is also diverted through points of diversion described above. Right No. 63-8776 is also diverted through the most westerly point of diversion described above.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Approval of Transfer 66100 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Use of this right is combined with water from Wilder Irrigation District.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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

RIGHT NUMBER: 63-8408A

NAME AND ADDRESS: SUNSET HILLS IRRIGATION CO
16645 PLUM RD
CALDWELL ID 83607

SUNSET HILLS CORP
C/O BRUCE-BARTLETT
RT-6
22166 HOMEDALE RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.250 CFS

The total instantaneous diversion of water from all points of diversion under Rights 63-2983A and 63-8408A shall not exceed 2.01 cfs, nor total combined annual volume of 742.5 af for the irrigation of 165.0 acres.

PRIORITY DATE: 01/24/1977

POINT OF DIVERSION:

T04N R04W S33 SWSESW Within CANYON County

T04N R04W S33 SWSESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.250 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

T03N R04W S05	SWNE	40.00	T03N R04W S05	SENE	15.00
T03N R04W S05	SENE	40.00	T03N R04W S05	NESE	40.00
T03N R04W S05	NWSE	30.00			

165 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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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.

Right No. 63-2983A is also diverted through points of diversion described above. Right No. 63-8776 is also diverted through the most westerly point of diversion described above.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Approval of Transfer 66100 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

After specific notification by the Department, the right holder shall measure the diversion 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 use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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

RIGHT NUMBER: 63-8776

NAME AND ADDRESS: SUNSET HILLS IRRIGATION CO
16645 PLUM RD
CALDWELL ID 83607

SUNSET HILLS CORP
C/O BRUCE BARTLETT
RT-6
22166 HOMEDALE RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.540 CFS

Rights 63-2881A and 63-8776 when combined shall not exceed a total annual maximum diversion volume of 310.5 af at the field headgate, and the irrigation of 69 acres.

PRIORITY DATE: 07/03/1977

POINT OF DIVERSION:

T04N R04W S33 NENESW Within CANYON County

T04N R04W S33 SWSESW 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	0.540 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

T03N R04W S05 SWSE 39.00

39 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

Use of this right is combined with water from Wilder Irrigation District.

Right Nos. 63-2983A and 63-8408A are also diverted through point of diversion located in SWSESW, S33, T04N, R04W. Right Nos. 63-2983B and 63-8408B are also diverted through point of diversion located in NENESW, S33, T04N, R04W.

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