

COPY

RECEIVED

AUG 31 2007

DEPARTMENT OF
WATER RESOURCES

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

2007 AUG 28 PM 2 28

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

Case No. 39576

) Subcase No. 37-407, 37-408, 37-693,
) 37-947, 37-2573,
) 37-7014, 37-11932
)
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

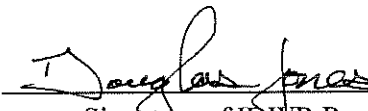
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: _____

8/28/07



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/28, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

John D Flood
Queens Crown Ranch
19249 Hwy 20
Picabo ID 83348



Signature of person or attorney mailing the form

07/11/2007

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

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF

DIVERSION: T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

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

07/11/2007

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

RIGHT NUMBER: 37-408

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 10/25/1892

POINT OF
DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T01S R21E S31	SWNE	17.00	T01S R21E S31 SENE 19.00
T01S R21E S31	SESW	24.00	T01S R21E S31 NESE 38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31 SWSE 40.00
T01S R21E S31	SESE	38.00	T01S R21E S32 NWSW 16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2 NWNE 37.00
T02S R21E S06 Lot 3	NENW	31.00	

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

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

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

07/11/2007

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

RIGHT NUMBER: 37-693

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 04/01/1890

POINT OF

DIVERSION: T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWSW	1.50	T02S R21E S06 Lot 3 NENW	5.50
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5 SWNW	37.00
T02S R21E S06	SENW	23.00		

90 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

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

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

07/11/2007

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>
37-947	JOHN D FLOOD QUEENS CROWN RANCH 19249 HWY 20 PICABO ID 83348	Disallowed	Forfeited/abandoned due to non-use from 1982 to 1987.

07/11/2007

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

RIGHT NUMBER: 37-2573

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

Point of injection into Patton Creek. Point of redirection from Silver Creek.

QUANTITY: 1.420 CFS
508.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 508 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 06/16/1955

POINT OF

DIVERSION:

T01S R19E S17 SESESW Injection Within BLAINE County
T01S R19E S17 SWSWE Within BLAINE County
T01S R20E S35 NENENE Rediversion Within BLAINE County
T02S R20E S1 NESWNE Rediversion Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.420 CFS 508.00 AFY

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>					
T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00
T01S R21E S31	NESE	31.00	T01S R21E S31	NWSE	33.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
T01S R21E S32	NWSW	16.00	T02S R20E S12	NENE	25.00
T02S R21E S06 Lot 1	NENE	5.30	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06	SWNE	10.00	T02S R21E S06 Lot 3	NENW	36.00
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5	SWNW	37.00
T02S R21E S06	SENW	31.00	T02S R21E S06	NESW	11.00
T02S R21E S06 Lot 6	NWSW	25.00	T02S R21E S06 Lot 7	SWSW	20.00
T02S R21E S07 Lot 1	NWNW	45.00			

490 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 490 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

This right is limited to the irrigation of 400 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 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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.

Right No. 37-11932 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The portion of Right 37-2573 used for conveyance losses is 0.14 cfs.

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

Measuring devices of a type approved by this Department shall be permanently installed and maintained at the points of injection into Silver Creek and points of rediversion from Silver Creek.

07/11/2007

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

RIGHT NUMBER: 37-7014

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,335.00 AFY

This right when combined with all other water rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.

The rate of diversion at the point of rediversion from Silver Creek shall not exceed 4.3 cfs.

The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.26 cfs.

PRIORITY DATE: 03/11/1968

POINT OF
DIVERSION: T01S R19E S20 NWNWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	5.000 CFS 1,335.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00
T01S R21E S31	NESE	38.00	T01S R21E S31	NWSE	35.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
T01S R21E S32	NWSW	16.00	T02S R21E S06 Lot 1	NENE	5.30
T02S R21E S06 Lot 2	NWNE	37.00	T02S R21E S06	SWNE	10.00
T02S R21E S06 Lot 3	NENW	36.00	T02S R21E S06 Lot 4	NWNW	23.00
T02S R21E S06 Lot 5	SWNW	37.00	T02S R21E S06	SENW	31.00
T02S R21E S06	NESW	11.00	T02S R21E S06 Lot 6	NWSW	25.00

445 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

The right holder(s) shall pay such charges for the watermasters service as shall be found to be required due to the additional expense of regulating use of this water.

The well shall be permanently maintained with a valve or other control device to stop flow when the well is not in use. No more water may be diverted from the well than the beneficial requirements to irrigate the lands described in this right and Right 37-02649.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Water is discharged from the well into Patton Creek, flowing through Stalker Creek and into Silver Creek where it is rediverted from Silver Creek onto the lands identified above. This exchange of groundwater for surface water occurs when surface water rights are not available for diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37-M.

07/11/2007

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

RIGHT NUMBER: 37-11932

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
94.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 508 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 04/15/1987

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 R19E S17 SESESW Injection Within BLAINE County
T01S R19E S17 SWSWSE Within BLAINE County
T01S R20E S35 NENENE Rediversion Within BLAINE County
T02S R20E S1 NESWNE Rediversion Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.270 CFS 94.00 AFY

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T01S R21E S31	SWSW	1.70	T01S R21E S31 SESW 25.00
T01S R21E S31	NESE	31.00	T01S R21E S31 NWSE 33.00
T01S R21E S31	SWSE	40.00	T01S R21E S31 SESE 38.00
T01S R21E S32	NWSW	16.00	T02S R20E S12 NENE 25.00
T02S R21E S06 Lot 1	NENE	5.30	T02S R21E S06 Lot 2 NWNE 37.00
T02S R21E S06	SWNE	10.00	T02S R21E S06 Lot 3 NENW 36.00
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5 SWNW 37.00
T02S R21E S06	SENE	31.00	T02S R21E S06 NESW 11.00
T02S R21E S06 Lot 6	NWSW	25.00	T02S R21E S06 Lot 7 SWSW 20.00
T02S R21E S07 Lot 1	NWNW	45.00	

490 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

The rights listed below are limited to the irrigation of a combined total of 490 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

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

This right is for an enlargement of 90 acres within the place of use described for this 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.

This right is based upon an enlargement of Right No. 37-2573 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use