

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:

01-35A SPLIT INTO 01-10535 & 01-10536
01-177B SPLIT INTO 01-10537 & 01-10538
01-326 SPLIT INTO 01-10539 & 01-10540

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

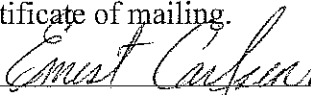
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) SCOTT--SCOTT & MILLER
- ☐ 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: 30 Aug. 2007

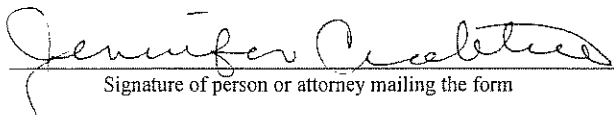


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Aug. 31, 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:
R GENE SCOTT
4644 E 185 N
RIGBY ID 83442
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
R GENE SCOTT BECKY MILLER
4644 E 185 N 4642 E 185 N
RIGBY ID 83442 RIGBY ID 83442
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 DISALLOWED: 01-35A

Split Right: See Nos. 01-10535 & 01-10536

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

RIGHT NUMBER DISALLOWED: 01-177B

Split Right: See Nos. 01-10537 & 01-10538

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

RIGHT NUMBER DISALLOWED: 01-326

Split Right: See Nos. 01-10539 & 01-10540

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 1-35A.

This right does not grant any right-of-way or easement across the land of another.

The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

This right is a split from former right 1-35AE.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

08/30/2007

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

RIGHT NUMBER: 1-10536

NAME AND ADDRESS: BECKY MILLER
4642 E 185 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 0.030 CFS

This right when combined with all other rights shall provide no more than 4.0
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/01/1885

POINT OF

DIVERSION: T04N R40E S28 NESWNW Within JEFFERSON County
T04N R40E S29 SWNE NE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S29	SWNW	0.80	T04N R40E S29	SENE	1.20
2 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 2
acres in a single irrigation season. Combined Right Nos.: 01-10536,
01-10538, 01-10540.

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

Use of water under this right will be regulated by a watermaster with
responsibility for the distribution of water among appropriators within a
water district. At the time of this approval, this water right is within State
Water District No. 01.

The right holder shall provide a means of measurement and lockable
controlling works for all authorized points of diversion. The means of
measurement and controlling works must be suitable for control of the
diversions and acceptable to the watermaster.

This right is a split from former right 1-35A.

This right is a split from former right 1-35AE.

This right does not grant any right-of-way or easement across the land of
another.

08/10/2007

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

RIGHT NUMBER: 1-10537

NAME AND ADDRESS: R GENE SCOTT
4644 E 185 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 1.870 CFS

This right when combined with all other rights shall provide no more than 4.0
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/02/1889

POINT OF
DIVERSION:
T04N R40E S28 NESWNW Within JEFFERSON County
T04N R40E S29 SWNE NE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.050 CFS
IRRIGATION	04/01 10/31	1.870 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S28	NWNW	0.30	T04N R40E S28	SWNW	29.00
T04N R40E S28	SENE	4.00	T04N R40E S28	NESW	1.40
T04N R40E S28	NWSW	33.00	T04N R40E S29	SWNW	4.00
T04N R40E S29	SENE	18.50	T04N R40E S29	NESE	35.00
T04N R40E S29	NWSE	8.70			

STOCKWATER same as IRRIGATION

133.9 ACRES TOTAL

This right is limited to the irrigation of 50 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
133.9 acres in a single irrigation season. Combined Right Nos.: 01-10535,
01-10537, 01-10539.

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

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

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 1-177B.

The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

08/30/2007

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

RIGHT NUMBER: 1-10538
NAME AND ADDRESS: BECKY MILLER
4642 E 185 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 0.030 CFS
This right when combined with all other rights shall provide no more than 4.0
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/02/1889

POINT OF
DIVERSION: T04N R40E S28 NESWNW Within JEFFERSON County
T04N R40E S29 SWNE NE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S29	SWNW	0.80	T04N R40E S29	SENE	1.20
2 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 2
acres in a single irrigation season. Combined Right Nos.: 01-10536,
01-10538, 01-10540.

This right is limited to the irrigation of 1 acre 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.

The quantity of water decreed for this water right for stockwater use is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

This right is a split from former right 1-177B.

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

08/10/2007

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

RIGHT NUMBER: 1-10539

NAME AND ADDRESS: R GENE SCOTT
4644 E 185 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 8.870 CFS

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T04N R40E S27 NESWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.050 CFS
IRRIGATION	04/01 10/31	8.870 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S28	NWNW	0.30	T04N R40E S28	SWNW	29.00
T04N R40E S28	SENW	4.00	T04N R40E S28	NESW	1.40
T04N R40E S28	NWSW	33.00	T04N R40E S29	SWNW	4.00
T04N R40E S29	SENW	18.50	T04N R40E S29	NESE	35.00
T04N R40E S29	NWSE	8.70			

STOCKWATER same as IRRIGATION

133.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133.9 acres in a single irrigation season. Combined Right Nos.: 01-10535, 01-10537, 01-10539.

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

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Stockwater use is for 200 range cattle.

Water is delivered through Steele Canal.

This right is a split from former right 1-326.

08/30/2007

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

RIGHT NUMBER: 1-10540

NAME AND ADDRESS: BECKY MILLER
4642 E 185 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 0.130 CFS

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION: T04N R40E S27 NESWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.130 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S29	SWNW 0.80	T04N R40E S29	SENW 1.20
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2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2 acres in a single irrigation season. Combined Right Nos.: 01-10536, 01-10538, 01-10540.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

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 1-326 .

Water is delivered through Steele Canal.