

COPY

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

RIGHT NUMBER: 63-7177

NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

~~JIM D SCARROW~~
~~3184 S 1900 E~~
~~WENDELL ID 83355~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.700 CFS
1,570.500 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3182, 63-3583, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842, 63-31854 and 63-31855 shall not exceed 20.8 cfs, nor a total combined annual volume of 5185.5 af for the irrigation of 990 acres and dairy uses.

PRIORITY DATE: 12/12/1968

POINT OF DIVERSION:

T06N R05W S23 NENE Within PAYETTE County

T06N R05W S23 NWNE Within PAYETTE County

T06N R05W S23 SWNE Within PAYETTE County

T06N R05W S23 NENW Within PAYETTE County

T06N R05W S23 SESW Within PAYETTE County

T06N R05W S23 NESE Within PAYETTE County

T06N R05W S23 NESE Within PAYETTE County

T06N R05W S23 SWSE Within PAYETTE County

T06N R05W S24 NWNW Within PAYETTE County

Rights 63-3182, 63-3583, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842, 63-31854 and 63-31855 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 10/31	4.700 CFS 1,570.50 AFY

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 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.

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DISTRICT COURT - 318A
TWIN FALLS CO., IDAHO
10710 56

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	37.00
T06N R05W S14	SESE	20.00	T06N R05W S15	SESE	39.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	39.00
T06N R05W S22	SWNE	35.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	39.00	T06N R05W S22	SENW	39.00
T06N R05W S22	NESW	39.00	T06N R05W S22	SESW	39.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00
T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00
T06N R05W S23	NENE	11.00	T06N R05W S23	SWNE	32.00
T06N R05W S23	SENE	6.00	T06N R05W S23	NENW	10.00
T06N R05W S23	NWNW	40.00	T06N R05W S23	SWNW	40.00
T06N R05W S23	SENW	40.00	T06N R05W S23	NESW	40.00
T06N R05W S23	NWSW	37.00	T06N R05W S23	SESW	20.00
T06N R05W S23	NESE	23.00	T06N R05W S23	NWSE	40.00
T06N R05W S23	SWSE	20.00	T06N R05W S24	NWNW	18.00
T06N R05W S24	SWNW	7.00			

990 ACRES TOTAL

This right is limited to the irrigation of 349 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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Failure of the right holder to comply with the conditions of Transfer 71619 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 71619 within one year of the date of the approval.

After specific notification by the Department, the right holder shall record the quantity of water diverted 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 Transfer 71619, 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.

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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)
_____) **Water Rights:** See attached list
**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
XX Substitution of Party
☐ IC § 42-222 transfer
☐ IC § 42-219 license

- ☐ Point of diversion ☐ Place of use
☐ Period of use ☐ Nature of use
☐ Split of water right ☐ Change in ownership
☐ Other

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DEPARTMENT OF
WATER RESOURCES

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: September 14, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 14, 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
Off ice 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:

Basin and Range Resource Company LLC	☐	overnight mail
3480 G S Richards Blvd #101	☒	regular mail
Carson City NV 89703	☐	hand-delivered
	☐	facsimile

Jim D Scarrow	☐	overnight mail
3184 S 1900 E	☒	regular mail
Wendell ID 83355	☐	hand-delivered
	☐	facsimile

Dana Hofstetter		
Hofstetter Law Office LLC	☒	regular mail
608 W Franklin St		
Boise ID 83702		



Signature of person mailing this document

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Water rights for ownership change Scarrow/Basin and Range Resource Company LLC

63-3182
63-3583
63-7177
63-7533
63-31839
63-31840
63-31841
63-31842
63-31854
63-31855

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