

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

2007 OCT 1 PM 10 37

COPY
RECEIVED

OCT 02 2007
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: 63-15746

)

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: September 28, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 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	☐ 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:

Can Ada Properties LLC	☐ overnight mail
c/o Kurt Barats	☒ regular mail
391 W State St Ste G	☐ hand-delivered
Eagle ID 83616	☐ facsimile

John K Olsen	☐ overnight mail
5190 Hubler Ln	☒ regular mail
Caldwell ID 83605	☐ hand-delivered
	☐ facsimile

Riverside Irrigation Dist.	
c/o Albert Barker	☒ regular mail
Barker Rosholt & Simpson LLP	
1010 W Jefferson Ste 102	
Boise ID 83702	



Signature of person mailing this document

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO

COPY

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

RECEIVED

OCT 02 2007

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-15746

NAME AND ADDRESS: CAN ADA PROPERTIES LLC
C/O KURT BARATS
391 W STATE ST STE G
EAGLE ID 83616

JOHN K OLSEN
5190 HUEBLER LANE
CALDWELL ID 83605

SOURCE: WASTE WATER

TRIBUTARY: LAWRENCE KENNEDY CANAL

QUANTITY: 0.360 CFS

PRIORITY DATE: 03/01/1950

POINT OF DIVERSION:

T04N R02W S12 SESE 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	0.340 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R02W S12 SESE 17.00

STOCKWATER in CANYON County

T04N R02W S12 SESE

17 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 - Beneficial Use

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

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

Stockwater use is for 50 range cattle.

Use of this right is combined with water from Middleton Irrigation Association.