

COPY

RECEIVED

OCT 11 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-178A
TWIN FALLS CO., IDAHO
FILED

2007 OCT 8 PM 3 21

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 Right: 73-177 (Disallow)
73-12134, 73-12135 and 73-12136

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

XX Split of water right ☐ Change in ownership

☐ IC § 42-222

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

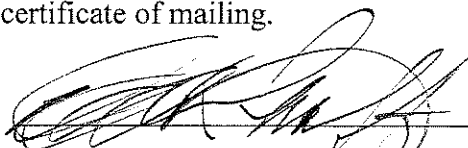
☐ Split of water right ☐ Change in ownership

☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: Oct 4, 2007



Signature of IDWR Representative

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

73-177 (Disallow)
73-12134, 73-12135 and 73-12136

CERTIFICATE OF MAILING

I certify that on October 4, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Berend and Carla Friehe
2498 Rd S NE
Moses Lake WA 98837

Five E Group LLLP
3094 S Abigail Way
Boise ID 83706

W Clinton Stennett
PO Box 475
Ketchum ID 83340

Rio B LLC
Lone Pine Holding LLC
MLS Holdings LLC
3007 Can-Ada Rd
Melba ID 83641



Signature of person mailing this document

10/3/2007

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>
73-177	BEREND FRIEHE 2498 RD S NE MOSES LAKE WA 98837	Disallowed/Parent	Split to 73-12134, 73-12135 and 73-12136
	CARLA FRIEHE 2498 RD S NE MOSES LAKE WA 98837		

10/03/2007

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

RIGHT NUMBER: 73-12134

NAME AND ADDRESS: FIVE E GROUP LLLP
3094 S ABIGAIL WAY
BOISE ID 83706

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.583 CFS

The total amount of water diverted under this water right may not exceed 0.486 cfs at the points of diversion described in the NWNW T12N R23E S2, NESW T13N R23E S28 or NWNW T13N R23E S34.

PRIORITY DATE: 11/19/1903

POINT OF
DIVERSION:

T11N R24E S6 NENE Within CUSTER County
T12N R23E S2 NWNW Within CUSTER County
T13N R23E S28 NESW Within CUSTER County
T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.583 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T13N R23E S27	SWSW	15.00	T13N R23E S34	NENW	40.00
T13N R23E S34	SENW	29.00			

84 ACRES TOTAL

Right Nos. 73-12141, 73-12126, 73-12131 and 73-12134 are limited to the irrigation of a combined total of 84 acres 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 - 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.

This right is a split from former right 73-177.

10/03/2007

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

RIGHT NUMBER: 73-12135

NAME AND ADDRESS: W CLINTON STENNETT
PO BOX 475
KETCHUM ID 83340

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.477 CFS

The total amount of water diverted under this water right may not exceed 1.23 cfs at the points of diversion described in the NWNW T12N R23E S2, NESW T13N R23E S28 or NWNW T13N R23E S34.

PRIORITY DATE: 11/19/1903

POINT OF
DIVERSION:

T11N R24E S6 NENE Within CUSTER County
T12N R23E S2 NWNW Within CUSTER County
T13N R23E S28 NESW Within CUSTER County
T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.477 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T13N R23E S27	NWSW	4.70	T13N R23E S27	SWSW	18.00
T13N R23E S28	NESE	23.00	T13N R23E S28	SWSE	1.00
T13N R23E S28	SESE	32.00	T13N R23E S33	NENE	40.00
T13N R23E S33	NWNE	15.80	T13N R23E S33	SWNE	18.10
T13N R23E S33	SENE	40.00	T13N R23E S34	SWNW	20.00

212.6 ACRES TOTAL

Right Nos. 73-12142, 73-12127, 73-12132, 73-12135 and 73-12139 are limited to the irrigation of a combined total of 212.6 acres 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 - Decreed

This right is a split from former right 73-177.

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.

10/03/2007

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

RIGHT NUMBER: 73-12136

NAME AND ADDRESS: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

LONE PINE HOLDING LLC
3007 CAN-ADA RD
MELBA ID 83641

MLS HOLDINGS LLC
3007 CAN-ADA RD
MELBA ID 83641

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.720 CFS

The total amount of water diverted under this water right may not exceed 2.264 cfs at the points of diversion described in the NWNW T12N R23E S2, NESW T13N R23E S28 or NWNW T13N R23E S34.

PRIORITY DATE: 11/19/1903

POINT OF
DIVERSION:

T11N R24E S6 NENE Within CUSTER County
T12N R23E S2 NWNW Within CUSTER County
T13N R23E S28 NESW Within CUSTER County
T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.720 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T13N R23E S28	NENW	24.00	T13N R23E S28	NWNW	35.00
T13N R23E S28	SWNW	31.00	T13N R23E S28	SENW	22.00
T13N R23E S28	NESW	27.00	T13N R23E S28	NWSW	30.00
T13N R23E S28	SWSW	2.40	T13N R23E S28	SESW	40.00
T13N R23E S28	NWSE	32.00	T13N R23E S28	SWSE	31.00
T13N R23E S33	NWNE	24.20	T13N R23E S33	SWNE	20.90
T13N R23E S33	NENW	40.00	T13N R23E S33	NWNW	13.00
T13N R23E S34	SWNW	19.00			

391.5 ACRES TOTAL

Right Nos. 73-151, 73-12143, 73-12128, 73-12133, 73-12136 and 73-12140 are limited to the irrigation of a combined total of 391.5 acres 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 - Decreed

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

This right is a split from former right 73-177.

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