

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2007 OCT 15 PM 11 31

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DEPARTMENT OF
WATER RESOURCES
COPY

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: 22-13444 split into
22-13752, 22-13753, 22-13754

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (split) WILCOX – LOMA VISTA, BOWES, MAXWELL
- ☐ 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: Oct 3, 2007

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Oct 12, 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:
FLOYD WILCOX & SONS INC
1110 GOLDEN BEAUTY DR
REXBURG ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
LOMA VISTA RANCH BRENDAN BOWES JAMES & KRISTINE MAXWELL
3825 S 7000 W 3221 NW 56 ST 6067 N SEQUOIA DR
REXBURG ID 83440 OCALA FL 34475 FRESNO CA 93771-1256

4. One copy to:

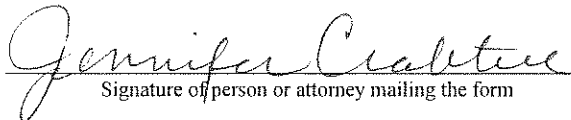
Each party in the subcase, or attorney of record
N/A

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: 22-13444

Split Right: See Nos. 22-13752, 22-13753, 22-13754

08/31/2007

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

RIGHT NUMBER: 22-13752

NAME AND ADDRESS: LOMA VISTA RANCH INC
3825 S 7000 W
REXBURG ID 83440

SOURCE: MC MILLAN SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.020 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T05N R39E S7 SESESW Within MADISON County
T05N R39E S17 SWNWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.020 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T05N R38E S12 SWNE 31.00	T05N R38E S12 SENE	20.00
	T05N R38E S12 NESE 39.00	T05N R38E S12 NWSE	17.00
	T05N R39E S07 Lot 2 SWNW 21.00	T05N R39E S07 SENW	8.00
	T05N R39E S07 NESW 12.00	T05N R39E S07 Lot 3 NWSW	39.00
	T05N R39E S07 Lot 4 SWSW 28.00	T05N R39E S07 SESW	31.00

246 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 246 acres in a single irrigation season. Combined Right Nos.: 22-13752, 22-13755, 22-13758, 22-13761.

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.

The following rights are diverted through points of diversion described above: 22-13752, 22-13753, 22-13754, 22-13755, 22-13756, 22-13757, 22-13758, 22-13759, 22-13760, 22-13761, 22-13762, 22-13763.

This right is a split from former right 22-13444.

08/31/2007

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

RIGHT NUMBER: 22-13753

NAME AND ADDRESS: BRENDAN BOWES
3221 NW 56 ST
OCALA FL 34475

SOURCE: MC MILLAN SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T05N R39E S7 SESESW Within MADISON County
T05N R39E S17 SWNWNE Within MADISON 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 MADISON County

T05N R39E S08 NESW 4.00

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 22-13753, 22-13756, 22-13759, 22-13762.

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.

This right is a split from former right 22-13444.

The following rights are diverted through points of diversion described above: 22-13752, 22-13753, 22-13754, 22-13755, 22-13756, 22-13757, 22-13758, 22-13759, 22-13760, 22-13761, 22-13762, 22-13763.

08/31/2007

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

RIGHT NUMBER: 22-13754

NAME AND ADDRESS: KRISTINE MAXWELL
6067 N SEQUOIA DR
FRESNO CA 93771-1256

JAMES MAXWELL
6067 N SEQUOIA DR
FRESNO CA 93771-1256

SOURCE: MC MILLAN SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.450 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T05N R39E S7 SESESW Within MADISON County
T05N R39E S17 SWNWNE Within MADISON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.450 CFS
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>		
	T05N R39E S07 SWNE 39.00	T05N R39E S07 SENE	37.00
	T05N R39E S07 SENW 25.00	T05N R39E S07 NESW	14.00
	T05N R39E S07 NESE 39.00	T05N R39E S07 NWSE	40.00
	T05N R39E S08 SWNW 39.00	T05N R39E S08 SENW	16.00
	T05N R39E S08 NESW 9.00	T05N R39E S08 NWSW	39.00

297 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 297 acres in a single irrigation season. Combined Right Nos.: 22-13754, 22-13757, 22-13760, 22-13763.

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

The following rights are diverted through points of diversion described above: 22-13752, 22-13753, 22-13754, 22-13755, 22-13756, 22-13757, 22-13758, 22-13759, 22-13760, 22-13761, 22-13762, 22-13763.

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

This right is a split from former right 22-13444.