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OCT 16 2007

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2007 OCT 12 PM 2 00

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

) Subcase No. 37-212A, 37-2621,  
) 37-4337, 37-20381

) NOTICE OF COMPLETED  
) ADMINISTRATIVE PROCEEDING  
)

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

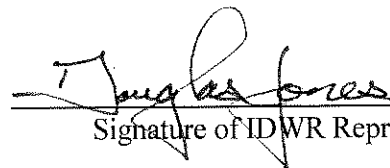
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: \_\_\_\_\_

10/12/07

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 10/12, 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  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

Helios Development LLC  
c/o Stan Castleton  
PO Box 4151  
Park City UT 84060

James P Speck  
Speck & Aanestad  
PO Box 987  
Ketchum ID 83340

Edward A Lawson  
Lawson & Laski PLLC  
PO Box 3110  
Ketchum ID 83340



Signature of person or attorney mailing the form

10/04/2007

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC  
C/O STAN CASTLETON  
PO BOX 4151  
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 2.800 CFS

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 06/23/1888

POINT OF  
DIVERSION: T04N R17E S11 SESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u>          | <u>QUANTITY</u> |
|---------------|------------------------------------|-------------------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31                   | 2.800 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                               |                 |
|               | T04N R17E S11 SWSE                 | 4.00 T04N R17E S11 Lot 6 SWSE | 0.60            |
|               | T04N R17E S11 SESE                 | 15.00 T04N R17E S12 SWSW      | 4.40            |

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 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.

10/04/2007

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

RIGHT NUMBER: 37-2621

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC  
C/O STAN CASTLETON  
PO BOX 4151  
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.480 CFS

This right shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 08/06/1959

POINT OF  
DIVERSION:

T04N R17E S12 SWSW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.480 CFS       |

PLACE OF USE:

IRRIGATION in BLAINE County

|               |      |       |                          |      |
|---------------|------|-------|--------------------------|------|
| T04N R17E S11 | SWSE | 4.00  | T04N R17E S11 Lot 6 SWSE | 0.60 |
| T04N R17E S11 | SESE | 15.00 | T04N R17E S12 SWSW       | 4.40 |

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 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 - License

10/04/2007

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

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RIGHT NUMBER: 37-4337

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC  
C/O STAN CASTLETON  
PO BOX 4151  
PARK CITY UT 84060

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 01/01/1952

POINT OF  
DIVERSION:

T04N R17E S12 SWSW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| FISH PROPAGATION      | 01/01 12/31          | 1.000 CFS       |

PLACE OF USE: FISH PROPAGATION in BLAINE County

T04N R17E S12 SWSW

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 - Beneficial Use

10/04/2007

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

RIGHT NUMBER: 37-20381

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC  
C/O STAN CASTLETON  
PO BOX 4151  
PARK CITY UT 84060

SOURCE: WARM SPRING CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.500 CFS

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 11/12/1936

POINT OF  
DIVERSION:

T04N R17E S11 SESE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u>               |
|---------------|------------------------------------|----------------------|-------------------------------|
|               | IRRIGATION                         | 04/15 10/31          | 0.500 CFS                     |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                      |                               |
|               | T04N R17E S11 SWSE                 | 4.00                 | T04N R17E S11 Lot 6 SWSE 0.60 |
|               | T04N R17E S11 SESE                 | 15.00                | T04N R17E S12 SWSW 4.40       |

24 ACRES TOTAL

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 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 claim is based upon a portion of 37-833. This claim also identifies a change of source from the Big Wood River to Warm Springs Creek, a tributary of the Big Wood .

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.