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OCT 25 2007

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - AREA  
TWIN FALLS CO., IDAHO  
FILED

2007 OCT 25 AM 11 25

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:

75-2179 split into 75-14482, 75-14483

75-10708 split into 75-14484, 75-14485

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) McDaniel – McDaniel and Carlson
- ☐ 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 19, 2007

Ernest Carlson

Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on Oct 24, 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:  
RICHARD & HELEN MC DANIEL  
PO BOX 13  
ELLIS ID 83235

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
RICHARD & HELEN MC DANIEL  
PO BOX 13  
ELLIS ID 83235

THOMAS & EVELYN CARLSON  
PO BOX 206  
LEADORE ID 83464

4. One copy to:

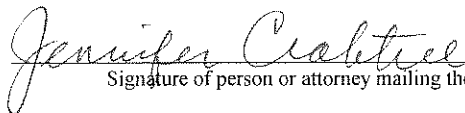
Each party in the subcase, or attorney of record  
N/A

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

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RIGHT NUMBER DISALLOWED: 75-2179

Split Right: See Nos. 75-14482 & 75-14483

10/05/2007

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

RIGHT NUMBER: 75-14482

NAME AND ADDRESS: HELEN B MC DANIEL  
PO BOX 13  
ELLIS ID 83235

RICHARD M MC DANIEL  
PO BOX 13  
ELLIS ID 83235

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.260 CFS  
46.60 AFY

Right Nos. 75-14482 and 75-14484 are limited to a total combined diversion rate of 0.27 cfs and to a total combined annual diversion volume of 50.4 AF.

PRIORITY DATE: 10/17/1957

POINT OF  
DIVERSION:

T16N R20E S24 SWNE Lot 4 Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/01 10/31          | 0.260 CFS<br>46.60 AFY |

PLACE OF USE: IRRIGATION in LEMHI County

|                           |      |                          |      |
|---------------------------|------|--------------------------|------|
| T16N R21E S18 Lot 12 SWSE | 4.60 | T16N R21E S19 Lot 1 NENW | 9.80 |
|---------------------------|------|--------------------------|------|

14.4 ACRES TOTAL

This right is limited to the irrigation of 13.3 acres within the place of use described above in a single irrigation season.

Right Nos. 75-14482 and 75-14484 are limited to the irrigation of a combined total of 14.4 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

After specific notification by the Department, the right holder shall measure the diversion 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.

Right No. 75-14484 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

This right is a split from former right 75-2179.

10/05/2007

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

RIGHT NUMBER: 75-14483

NAME AND ADDRESS: THOMAS H CARLSON  
PO BOX 206  
LEADORE ID 83464

EVELYN R CARLSON  
PO BOX 206  
LEADORE ID 83464

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.900 CFS  
506.40 AFY

Right Nos. 75-14483 and 75-14485 are limited to a total combined diversion rate of 2.89 cfs and to a total combined annual diversion volume of 547.8 AF.

PRIORITY DATE: 10/17/1957

POINT OF  
DIVERSION:

T16N R20E S24 SWNE Lot 4 Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 10/31          | 2.900 CFS<br>506.40 AFY |

PLACE OF USE: IRRIGATION in LEMHI County

|                          |       |                           |       |
|--------------------------|-------|---------------------------|-------|
| T16N R20E S24            | 0.40  | T16N R20E S24 Lot 1 NENE  | 43.00 |
| T16N R20E S24 Lot 4 SWNE | 20.00 | T16N R20E S24 SENE        | 31.00 |
| T16N R20E S24 Lot 9 SWSW | 20.00 | T16N R20E S24 Lot 10 SESW | 9.30  |
| T16N R20E S24 Lot 5 NWSE | 2.50  | T16N R20E S25 Lot 1 NWNW  | 0.40  |
| T16N R21E S19 Lot 2 NWNW | 26.00 | T16N R21E S19 Lot 3 SWNW  | 3.90  |

156.5 ACRES TOTAL

Right Nos. 75-14483 and 75-14485 are limited to the irrigation of a combined total of 156.5 acres in a single irrigation season.

This right is limited to the irrigation of 144.7 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 No. 75-14485 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

This right is a split from former right 75-2179.

After specific notification by the Department, the right holder shall measure the diversion 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.

IDAHO DEPARTMENT OF WATER RESOURCES  
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER DISALLOWED: 75-10708

Split Right: See Nos. 75-14484 & 75-14485

10/18/2007

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

RIGHT NUMBER: 75-14484

NAME AND ADDRESS: HELEN B MC DANIEL  
PO BOX 13  
ELLIS ID 83235

RICHARD M MC DANIEL  
PO BOX 13  
ELLIS ID 83235

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS  
3.80 AFY

Right Nos. 75-14482 and 75-14484 are limited to a total combined diversion rate of 0.27 cfs and to a total combined annual diversion volume of 50.4 AF.

PRIORITY DATE: 05/10/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF  
DIVERSION:

T16N R20E S24 SWNE Lot 4 Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 04/01 10/31          | 0.020 CFS<br>3.80 AFY |

PLACE OF USE: IRRIGATION in LEMHI County

|                           |      |                          |      |
|---------------------------|------|--------------------------|------|
| T16N R21E S18 Lot 12 SWSE | 4.60 | T16N R21E S19 Lot 1 NENW | 9.80 |
|---------------------------|------|--------------------------|------|

14.4 ACRES TOTAL

Right Nos. 75-14482 and 75-14484 are limited to the irrigation of a combined total of 14.4 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.

This right is based upon an enlargement of Right No. 75-14482 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

After specific notification by the Department, the right holder shall measure the diversion 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 this approval, 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.

This right is for an enlargement of 1.1 acres within the place of use described for this right.

This right is a split from former right 75-10708.

10/18/2007

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

RIGHT NUMBER: 75-14485

NAME AND ADDRESS: THOMAS H CARLSON  
PO BOX 206  
LEADORE ID 83464

EVELYN R CARLSON  
PO BOX 206  
LEADORE ID 83464

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.240 CFS  
41.40 AFY

Right Nos. 75-14483 and 75-14485 are limited to a total combined diversion rate of 2.89 cfs and to a total combined annual diversion volume of 547.8 AF.

PRIORITY DATE: 05/10/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF  
DIVERSION:

T16N R20E S24 SWNE Lot 4 Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/01 10/31          | 0.240 CFS<br>41.40 AFY |

PLACE OF USE: IRRIGATION in LEMHI County

|                          |       |                           |       |
|--------------------------|-------|---------------------------|-------|
| T16N R20E S24            | 0.40  | T16N R20E S24 Lot 1 NENE  | 43.00 |
| T16N R20E S24 Lot 4 SWNE | 20.00 | T16N R20E S24 SENE        | 31.00 |
| T16N R20E S24 Lot 9 SWSW | 20.00 | T16N R20E S24 Lot 10 SESW | 9.30  |
| T16N R20E S24 Lot 5 NWSE | 2.50  | T16N R20E S25 Lot 1 NWNW  | 0.40  |
| T16N R21E S19 Lot 2 NWNW | 26.00 | T16N R21E S19 Lot 3 SWNW  | 3.90  |

156.5 ACRES TOTAL

Right Nos. 75-14483 and 75-14485 are limited to the irrigation of a combined total of 156.5 acres in a single irrigation season.

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

This right is based upon an enlargement of Right No. 75-14483 pursuant to Section 42-1426, Idaho Code.

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

This right is a split from former right 75-10708.

After specific notification by the Department, the right holder shall measure the diversion 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.

This right is for an enlargement of 11.8 acres within the place of use described for this right.

Prior to diversion of water under this approval, 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.