

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: 22-12900

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

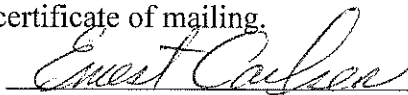
- ☐ Address change
- ☒ Substitution of Party OSTERMILLER-HARRIS
- ☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ 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 25, 07



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Oct 26, 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:
Carol Ostermiller
8881 E Hwy 33
PO Box 142
Newdale ID 83436

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Layne Harris
680 Main St
Po Box 63
Newdale ID 83436

4. One copy to:

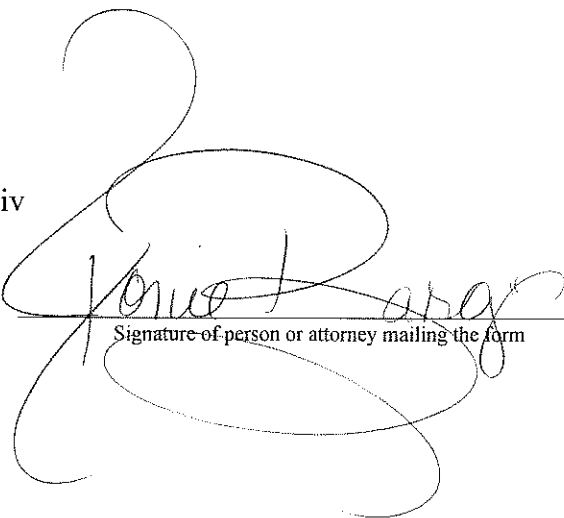
Each party in the subcase, or attorney of record
Robert Harris
Holden, Kidwell, Hahn & Crapo
PO Box 50130
Idaho Falls ID 83405

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

10/25/2007

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

RIGHT NUMBER: 22-12900

NAME AND ADDRESS: LAYNE HARRIS
PO BOX 63
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.640 CFS
259.00 AFY

Right Nos. 22-2200 and 22-12900 are limited to a total combined diversion rate of 2.7 cfs and to a total combined annual diversion volume of 854 AF.

PRIORITY DATE: 05/01/1965

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: T06N R41E S3 SWSENE 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	0.640 CFS 259.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S03 Lot 1 NENE	28.00	T06N R41E S03 Lot 2 NWNE	2.00
T06N R41E S03 SWNE	24.00	T06N R41E S03 SENE	39.00
T06N R41E S03 NESE	38.00	T06N R41E S03 NWSE	39.00
T06N R41E S03 SWSE	37.00	T06N R41E S03 SESE	37.00

244 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 244 acres in a single irrigation season. Combined Right Nos.: 22-2200 and 22-12900.

This right is limited to the irrigation of 74 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 right is based upon an enlargement of Right No. 22-2200 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 for an enlargement of 74 acres within the place of use described for this right.

Right No. 22-2200 is also diverted through point of diversion described above.