

COPY

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED

2007 NOV 14 PM 2 32

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	)	SUBCASE NO. 37-496F,
	)	37-21418, 37-21419,
Case No. 39576	)	37-21420, 37-21421
	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

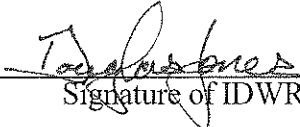
IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 *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:

11/13/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/14, 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:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

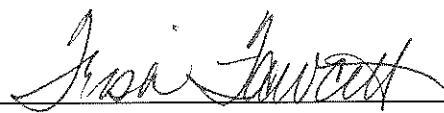
Copies to:

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

Myer Berlow
Deborah Barr
214 Willow Zinc Spur
Hailey ID 83333

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



Signature of person or attorney mailing the form

10/30/2007

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

RIGHT NUMBER: 37-496F

NAME AND ADDRESS: MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY ID 83333

DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.590 CFS
28.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/01/1883

POINT OF
DIVERSION: T03N R18E S20 SESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	04/15 10/31	0.430 CFS 28.00 AFY
IRRIGATION	04/15 10/31	0.160 CFS 28.00 AFY
FIRE PROTECTION	01/01 12/31	0.430 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S29	NWNW	5.00	T03N R18E S29	SWNW	3.00
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FIRE PROTECTION in BLAINE County

T03N R18E S20	SWSW	T03N R18E S29	NWNW
T03N R18E S29	SWNW		

AESTHETIC in BLAINE County

T03N R18E S20	SWSW	T03N R18E S29	NWNW
T03N R18E S29	SWNW		

8 ACRES TOTAL

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 right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Place of use is also known as Lot 2A, Gimlet Subdivision No. 1, Revised.

10/30/2007

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

RIGHT NUMBER: 37-21418

NAME AND ADDRESS: MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY ID 83333

DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.330 CFS

The combined annual volume of water under right Nos. 37-21418 and 37-21420 shall not exceed 63 af.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S20 SWSE 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	0.330 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S20	SWSW	3.20	T03N R18E S29	NWNW	8.70
T03N R18E S29	SWNW	6.10			

18 ACRES TOTAL

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

Failure to comply with the conditions of Transfer 4171 is cause for the Director to issue an order to show cause why the approval of the transfer should not be rescinded.

This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.

Use of water under these water rights will be regulated by the watermaster of State Water District No. 37.

The change authorized by Transfer 4171 shall be accomplished within one (1) year of the date of this transfer.

Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion and point of redirection.

10/30/2007

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

RIGHT NUMBER: 37-21419

NAME AND ADDRESS: MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY ID 83333

DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS
7.00 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

Right Nos. 37-21419 and 37-21421 are limited to a total combined diversion
rate of 0.08 cfs and to a total combined annual diversion volume of 7.0 AF.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T03N R18E S29 NENENW 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	0.040 CFS 7.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S20	SESW	2.20	T03N R18E S29	NENW	2.10
4.3 ACRES TOTAL					

Right Nos. 37-21419 and 37-21421 are limited to the irrigation of a combined
total of 2.0 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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

This claim was split from water right 37-577C and 37-577CF pursuant to approved Transfers 4171 and 71769 respectively.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

10/30/2007

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

RIGHT NUMBER: 37-21420

NAME AND ADDRESS: MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY ID 83333

DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.360 CFS

The combined annual volume of water under right Nos. 37-21418 and 37-21420 shall not exceed 63 af.

PRIORITY DATE: 05/01/1881

POINT OF
DIVERSION:

T03N R18E S20 SWSE 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	0.360 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S20	SWSW	3.20	T03N R18E S29	NWNW	8.70
T03N R18E S29	SWNW	6.10			

18 ACRES TOTAL

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

Measuring devices of a type approved by this Department shall installed and maintained at each point of diversion and point of redirection.

The change authorized by Transfer 4171 shall be accomplished within one (1) year of the date of this transfer.

Use of water under these water rights will be regulated by the watermaster of State Water District No. 37.

Failure to comply with the conditions of Transfer 4171 is cause for the Director to issue an order to show cause why the approval of the transfer should not be rescinded.

This claim was split from water right 37-657C and 37-657D pursuant to approved Transfers 4171 and 71769 respectively.

10/30/2007

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

RIGHT NUMBER: 37-21421

NAME AND ADDRESS: MYER BERLOW
214 WILLOW ZINC SPUR
HAILEY ID 83333

DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS
7.00 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

Right Nos. 37-21419 and 37-21421 are limited to a total combined diversion
rate of 0.08 cfs and to a total combined annual diversion volume of 7.0 AF.

PRIORITY DATE: 05/01/1881

POINT OF
DIVERSION:

T03N R18E S29 NENENW 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	0.040 CFS 7.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S20	SESW	2.20	T03N R18E S29	NENW	2.10
4.3 ACRES TOTAL					

Right Nos. 37-21419 and 37-21421 are limited to the irrigation of a combined
total of 2.0 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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

This claim was split from water right 37-657C and 37-657D pursuant to approved Transfers 4171 and 71769 respectively.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

November 14, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MYER BERLOW
DEBORAH BARR
214 WILLOW ZINC SPUR
HAILEY ID 83333

RE: SRBA Claim(s) 37-496F, 37-21418, 37-21419, 37-21420,
37-21421

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

RECEIVED
OCT 29 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Claim Number (s): 37-496F; 37-21418; 37-21419; 37-21420 and 37-21421

Previous Mailing Address: Myer Berlow and Deborah Barr
c/o James P. Speck
Speck & Aanestad, P.A.
P.O. Box 987
Ketchum, Idaho 83340

New Mailing Address: Myer Berlow and Deborah Barr
214 Willow Zinc Spur
Hailey, Idaho 83333

Telephone Number: (208) 578-0604

Signature of Claimant(s):


James P. Speck, Esq.

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/99

IDWR Use Only:
Data Entry: _____

Date: _____

RECEIVED

OCT 29 2007

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

October 26, 2007

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

**Re: Water Right Nos.: 37-496F; 37-21418; 37-21419; 37-21420 and 37-21421
Meyer Berlow and Deborah Barr**

Dear Trish:

Enclosed for filing please find the original and one copy of an Address Change Notice for the above-referenced water rights. Please return the receipt date-stamped copy to our office in the postage prepaid, self-addressed envelope provided. Kindly call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne E. Farnea, Legal Assistant to
James P. Speck

Enclosure

cc: client (w/encl.)