

COPY

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED: _____

2007 DEC 14 PM 2:01

**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: 73-98, 73-99, 73-100,
	)	73-2157, 73-12030, 73-12032, 73-12107
	)	
Case No. 39576	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

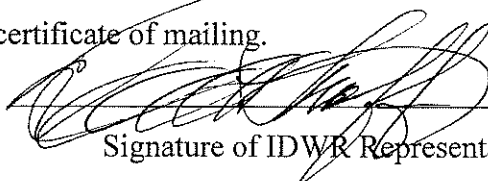
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) 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: Dec 12, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Glen A. and Caryl L. Elzinga
19 Moen Ln.
May, ID 83253-2000

The Nature Conservancy
Western Resource Office
2424 Spruce St., Ste. 100
Boulder, Co 80302-4617



Signature of person mailing this document

12/12/2007

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

RIGHT NUMBER: 73-98

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 10/30/1902

POINT OF
DIVERSION:

T15N R21E S26 SWNW Within LEMHI County
T15N R21E S26 SWSE 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	3.200 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T15N R21E S16 SWSE	7.00	T15N R21E S21 NENE 10.00
	T15N R21E S21 SENE	0.20	T15N R21E S22 NWNW 7.70
	T15N R21E S22 SWNW	25.00	T15N R21E S22 SENW 5.90
	T15N R21E S22 NWSW	0.40	

56.2 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

Source is locally known as Spring Creek.

12/12/2007

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

RIGHT NUMBER: 73-99

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: MUD SPRINGS CREEK
PAHSIMEROI RIVER

TRIBUTARY: PAHSIMEROI RIVER
TRIBUTARY: SALMON RIVER

QUANTITY: 5.100 CFS

The quantity of water diverted from the Pahsimeroi River in the NWSE, S35, 15N, R21E is limited to 1.1 cfs.

When available, the total quantity of this right must be diverted from Mud Springs Creek. If 5.1 cfs is not available from Mud Springs Creek, the balance may be taken from the Pahsimeroi River.

The quantity of water diverted from the Pahsimeroi River in the SESE, S27, 15N, R21E is limited to 4.0 cfs.

PRIORITY DATE: 04/14/1885

POINT OF
DIVERSION:

T15N R21E S27 NENW Within CUSTER County
T15N R21E S27 SWSE Within CUSTER County
T15N R21E S27 SESE Within CUSTER County
T15N R21E S35 NWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	5.100 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S21	SWNE	2.40	T15N R21E S21	NESW	39.00
T15N R21E S21	SESW	23.00	T15N R21E S21	NESE	11.00
T15N R21E S21	NWSE	34.00	T15N R21E S21	SWSE	23.00
T15N R21E S21	SESE	34.00	T15N R21E S22	NWSW	0.30
T15N R21E S22	SWSW	25.00	T15N R21E S27	NENW	14.00
T15N R21E S27	NWNW	30.00	T15N R21E S28	NENE	4.90

240.6 ACRES TOTAL

Use of this right with Right No. 73-100 is limited to the irrigation of 240.6 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

12/12/2007

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

RIGHT NUMBER: 73-100
NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000
GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 2.900 CFS
PRIORITY DATE: 06/11/1901

POINT OF
DIVERSION: T15N R21E S35 NWSE Within CUSTER 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

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S21	NESW	8.60	T15N R21E S21	SESW	23.00
T15N R21E S21	NWSE	5.70	T15N R21E S21	SWSE	23.00
T15N R21E S21	SESE	22.00	T15N R21E S22	SWSW	1.80
T15N R21E S27	NWNW	27.00	T15N R21E S28	NENE	4.90

116 ACRES TOTAL

Use of this right with Right No. 73-99 is limited to the irrigation of 240.6 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

12/12/2007

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

RIGHT NUMBER: 73-2157

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.740 CFS

PRIORITY DATE: 03/10/1966

POINT OF
DIVERSION:

T15N R21E S27 NENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.740 CFS 131.90 AFY

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S21	SESW	12.00	T15N R21E S21	SWSE	12.00
T15N R21E S21	SESE	1.00	T15N R21E S28	NENE	11.00
T15N R21E S28	NWNE	1.00			

37 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 - License

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

12/12/2007

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

RIGHT NUMBER: 73-12107

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 03/24/1891

POINT OF
DIVERSION:

T15N R21E S27 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S16

SWSE

11.00

T15N R21E S21

NWNE

13.00

24 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

This right is a split from former right 73-92A.

Source is locally known as Spring Creek.

12/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
73-12030	CARYL L ELZINGA 19 MOEN LN MAY ID 83253-2000 GLENN A ELZINGA 19 MOEN LN MAY ID 83253-2000	Disallowed	Recommended as Right No. 73-99.

12/12/2007

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

RIGHT NUMBER: 73-12032

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PETERSON SPRINGS

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.250 CFS

PRIORITY DATE: 04/01/1961

POINT OF
DIVERSION:

T15N R21E S26 NESWNW 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	1.250 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T15N R21E S16 SWSE 7.00	T15N R21E S21 NENE 10.00	
	T15N R21E S21 SENE 0.20	T15N R21E S22 NWNW 7.70	
	T15N R21E S22 SWNW 25.00	T15N R21E S22 SENW 5.90	
	T15N R21E S22 NWSW 0.40		

56.2 ACRES TOTAL

Right Nos. 73-98 and 73-12032 are limited to the irrigation of a combined total of 56.2 acres in a single irrigation season.

This right is limited to the irrigation of 53 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 - Beneficial Use