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DEPARTMENT OF
WATER RESOURCES

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

2007 DEC 31

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: 74-1031

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

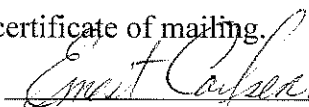
- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 73478

- | | |
|---|--|
| ☐ 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: Dec 20, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Dec 28, 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:
ROYDEN O CAPPS
MINA R CAPPS
PO BOX 45
LEMHI ID 83465

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

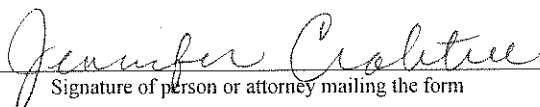
Each party in the subcase, or attorney of record
N/A

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

12/14/2007

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

RIGHT NUMBER: 74-1031

NAME AND ADDRESS: MINA R CAPPS
BOX 45
LEMHI ID 83465

ROYDEN O CAPPS
BOX 45
LEMHI ID 83465

SOURCE: BASIN CREEK

TRIBUTARY: HAYDEN CREEK

QUANTITY: 0.440 CFS

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.

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(s).

PRIORITY DATE: 04/01/1927

POINT OF
DIVERSION:

T17N R23E S3 NWNE Lot 2 Within LEMHI County
T17N R23E S4 SENE Within LEMHI County
T18N R23E S35 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.440 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T17N R23E S02 Lot 2 NWNE	6.00	T17N R23E S02 Lot 3 NENW	7.00
T18N R23E S35 SWSE	3.00	T18N R23E S35 SESE	6.00

22 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

Use of water under this right may in the future 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. 74

The right holder shall accomplish the change authorized by transfer no.
73478 by December 5, 2008.

Failure of the right holder to comply with the conditions of transfer no. 73478
is cause for the Director to rescind approval of the transfer.