

COPY

CLERK OF DISTRICT COURT
TWIN FALLS CO. IDAHO
FILED

2008 FEB 22 PM 2 05

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: 37-115D, 37-590A
)
Case No. 39576)
)
) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
_____)

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

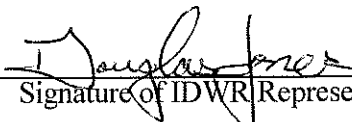
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☐ Place of Use
☐ Period of Use	☒ Nature of Use

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: 2/22/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 2008, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. 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 W Fort St MSC 033
Boise ID 83724

William Sherbine
Theresa Sherbine
200 Baseline Rd
Bellevue ID 83313



Signature of person or attorney mailing the form

02/11/2008

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

RIGHT NUMBER: 37-115D

NAME AND ADDRESS: THERESA L SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.10 cfs of this right, which shall remain undiverted in the Big Wood River.

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.

PRIORITY DATE: 06/12/1886

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.100 CFS
IRRIGATION	04/15 10/31	1.900 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S05 Lot 4 SWNW	18.00	T01S R19E S05 Lot 3 SENW	14.00
T01S R19E S05 NESW	40.00	T01S R19E S05 NWSW	40.00
T01S R19E S05 SWSW	40.00	T01S R19E S05 SESW	39.00

MITIGATION same as IRRIGATION

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.

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.

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/13/2008

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

RIGHT NUMBER: 37-590A

NAME AND ADDRESS: THERESA L SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

WILLIAM T "ROCKY" SHERBINE
200 BASELINE RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 4.000 CFS

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.

To mitigate for the depletion of water resulting from the diversion and use of water under this right and to prevent injury to other water right holders, the right holder shall cease diverting and using 0.20 cfs of this right, which shall remain undiverted in the Big Wood River.

PRIORITY DATE: 05/01/1886

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

T01N R18E S25 NWSESW Rediversion Within BLAINE County

This right is measured and administered at the point of rediversion.

This right does not grant any right-of-way or easement across the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.800 CFS
MITIGATION	04/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S05 Lot 4 SWNW	18.00	T01S R19E S05 Lot 3 SENW	14.00
T01S R19E S05 NESW	40.00	T01S R19E S05 NWSW	40.00
T01S R19E S05 SWSW	40.00	T01S R19E S05 SESW	39.00

MITIGATION same as IRRIGATION

191 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 37-115D, 37-590A, and 37-2561.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed