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DEPARTMENT OF
WATER RESOURCES

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2008 MAR 17 9:10 18

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: 22-13727, 22-13729,
22-13731

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

☐ point of diversion

☐ place of use

☒ period of use

☒ nature of use

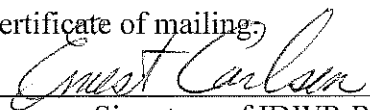
☐ split of water right

☐ 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: March 10, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 14, 2008, 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:
Packsaddle Properties LLC
PO Box 631
Driggs, Idaho 83221

3. One copy to:

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

4. One copy to:

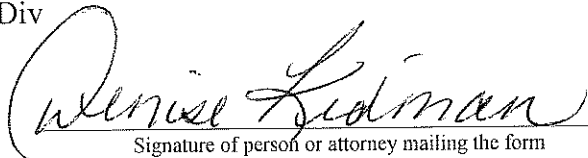
Each party in the subcase, or attorney of record

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

03/10/2008

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

RIGHT NUMBER: 22-13729

NAME AND ADDRESS: PACKSADDLE PROPERTIES LLC
PO BOX 631
DRIGGS ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 1.920 CFS
338.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This right authorizes the diversion of an annual total of 41.6 af to be used for the initial filling of the ponds, for the replacement of losses caused by seepage and evaporation from the ponds.

The rights listed below are limited to a total combined diversion rate of 2.84 cfs. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

The rights listed below are limited to a total combined diversion rate of 2.36 cfs for irrigation. Combined Right Nos.: 22-13727, 22-13729, 22-13731.

The rights listed below are limited to a total combined diversion rate of 1.92 cfs and to a total combined annual diversion volume of 384.3 AF. Combined Right Nos.: 22-13729, 22-13731.

The ponds established by the storage of water under rights 22-13727, 22-13729, & 22-13731 shall not exceed a total capacity of 29.1 acre feet or a total surface area of 7.3 acres.

PRIORITY DATE: 08/09/1961

POINT OF
DIVERSION:

T05N R45E S6 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/01	1.600 CFS 296.40 AFY
DIVERSION TO STORAGE	01/01 12/31	0.320 CFS
FIRE PROTECTION STORAGE	01/01 12/31	41.60 AFY
AESTHETIC STORAGE	01/01 12/31	41.60 AFY

The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/03/2008

Water shall not be diverted from fire protection storage except to fight or repel an existing fire.

PLACE OF USE:

IRRIGATION in TETON County

T05N R45E S06	NESW	32.30	T05N R45E S06 Lot 6 NWSW	17.70	
T05N R45E S06 Lot 7 SWSW		32.00	T05N R45E S06	SESW	28.60

FIRE PROTECTION STORAGE in TETON County

T05N R45E S06	NESW		T05N R45E S06 Lot 6 NWSW	
T05N R45E S06 Lot 7 SWSW			T05N R45E S06	SESW

AESTHETIC STORAGE in TETON County

T05N R45E S06	NESW		T05N R45E S06 Lot 6 NWSW	
T05N R45E S06 Lot 7 SWSW			T05N R45E S06	SESW

110.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 110.6 acres in a single irrigation season. Combined Right Nos.: 22-13727, 22-13729, and 22-13731.

This right is limited to the irrigation of 98.8 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Right No. 22-13731 is an enlargement of this right 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 ~ License

The right holder shall accomplish the change authorized by transfer 73910 by 03/03/2009.

Failure of the right holder to comply with the conditions of transfer 73910 is cause for the Director to rescind approval of the transfer.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Right no. 22-13731 is also diverted through point of diversion described above.

The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right is a split from former right 22-2212 .