

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

MAR 24 2008

By \_\_\_\_\_ Clerk  
\_\_\_\_\_ Deputy Clerk

**COPY  
RECEIVED**  
**MAR 25 2008**  
DEPARTMENT OF  
WATER RESOURCES

**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: 63-32654     |
|                | ) |                            |
| Case No. 39576 | ) | <b>NOTICE OF COMPLETED</b> |
|                | ) | <b>ADMINISTRATIVE</b>      |
| _____          | ) | <b>PROCEEDING</b>          |

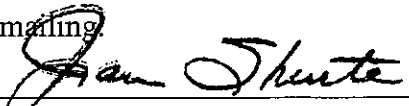
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
  - XX Point of diversion      XX Place of use
  - XX Period of use            XX Nature of use
  - ☐ Split of water right      ☐ Change in ownership
  - XX Quantity                XX Other - Conditions & Remarks
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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 21, 2008

  
 \_\_\_\_\_  
 Signature of IDWR Representative.

## CERTIFICATE OF MAILING

I certify that on March 21, 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    | <input type="checkbox"/>            | overnight mail |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 2707                  | <input type="checkbox"/>            | hand-delivered |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/>            | facsimile      |

### 2. Copies to:

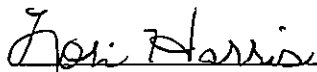
|                                 |                                     |                |
|---------------------------------|-------------------------------------|----------------|
| Clive Strong                    | <input type="checkbox"/>            | overnight mail |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 44449                  | <input type="checkbox"/>            | hand-delivered |
| Boise, ID 83711-4449            | <input type="checkbox"/>            | facsimile      |

|                                    |                                     |                |
|------------------------------------|-------------------------------------|----------------|
| United States Dept of Justice      | <input type="checkbox"/>            | overnight mail |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> | regular mail   |
| 550 West Fort Street MSC 033       | <input type="checkbox"/>            | hand-delivered |
| Boise ID 83724                     | <input type="checkbox"/>            | facsimile      |

### 3. Copies to all parties to the subcase:

|                              |                                     |                |
|------------------------------|-------------------------------------|----------------|
| Bernard Choutchourrou        | <input type="checkbox"/>            | overnight mail |
| Toni Choutchourrou           | <input checked="" type="checkbox"/> | regular mail   |
| 6020 SE 10 <sup>th</sup> Ave | <input type="checkbox"/>            | hand-delivered |
| Caldwell ID 83605            | <input type="checkbox"/>            | facsimile      |

|                          |                |
|--------------------------|----------------|
| <input type="checkbox"/> | overnight mail |
| <input type="checkbox"/> | regular mail   |
| <input type="checkbox"/> | hand-delivered |
| <input type="checkbox"/> | facsimile      |

  
\_\_\_\_\_  
Signature of person mailing this document

RECEIVED

MAR 25 2008

DEPARTMENT OF  
WATER RESOURCES

DEPARTMENT OF WATER RESOURCES RECOMMENDED  
WATER RIGHTS ACQUIRED UNDER STATE LAW

COPY

RIGHT NUMBER: 63-32654

NAME AND ADDRESS:

BERNARD CHOUTCHOURROU  
6020 SE 10TH AVE  
CALDWELL ID 83605

TONI CHOUTCHOURROU  
6020 SE 10TH AVE  
CALDWELL ID 83605

SOURCE:

Source:

GROUND WATER

QUANTITY:

0.500 CFS

107.700 AFY 135.000 AFY

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

MAR 24 2008

By \_\_\_\_\_  
Tributary: \_\_\_\_\_ Clerk  
Deputy Clerk

Rights 63-9179B, 63-12364 and 63-32654 when combined shall not exceed a total annual maximum diversion volume of 32.7 af for commercial purposes.

PRIORITY DATE: 02/07/1969

POINT OF DIVERSION:

T01N R01W S21 SWNE  
Within ADA County

T06N R03W S19 Lot 4 SWSW  
Within PAYETTE County

T06N R03W S19 Lot 4 SWSW  
Within PAYETTE County

T06N R03W S19 Lot 4 SWSW  
Within PAYETTE County

The following rights are diverted through points of diversion described above:  
63-9179B, 63-12364, 63-32654

PURPOSE AND  
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity:            |
|----------------|----------------|----------------------|
| IRRIGATION     | 04/01 11/01    | 0.500 CFS 135.00 AFY |
| STOCKWATER     | 01/01 12/31    | 0.500 CFS 107.70 AFY |
| COMMERCIAL     | 01/01 12/31    | 0.500 CFS 32.70 AFY  |

~~THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.~~

PLACE OF USE:

IRRIGATION within ADA County  
T01N R01W S21 NENE 7.0  
T01N R01W S21 NWNE 5.0  
T01N R01W S21 SWNE 8.0  
T01N R01W S21 SENE 10.0

STOCKWATER within PAYETTE County

T06N R03W S19 NESW

T06N R03W S19 Lot 3 NWSW

T06N R03W S19 Lot 4 SWSW

T06N R03W S19 SESW

T06N R03W S30 Lot 1 NWNW

T06N R03W S30 Lot 2 SWNW

T06N R04W S24 NESE

T06N R04W S24 SESE

T06N R04W S25 NENE

T06N R04W S25 NWNE

T06N R04W S25 SWNE

T06N R04W S25 SENE

T06N R04W S25 NESE

T06N R04W S25 NWSE

T06N R04W S25 SESE

COMMERCIAL within PAYETTE County

T06N R03W S19 Lot 4 SWSW

T06N R03W S30 Lot 1 NWNW

T06N R03W S30 Lot 2 SWNW

30 ACRES TOTAL

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

The right holder shall accomplish the change authorized by Transfer 73779 within one year of the date of the approval.

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 dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

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.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

This right is a split from former right 63-32396 .

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