

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

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APR 15 2008

DEPARTMENT OF
WATER RESOURCES

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: 22-7096, 22-13627 &
22-13629

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party BOWLES-TREES INC
- ☐ 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: 4-9-08

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 10, 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:
Boyd Bowles
261 E 200 S
Driggs ID 83422

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Trees Inc
PO Box 396
Teton Village WY 83025

4. One copy to:

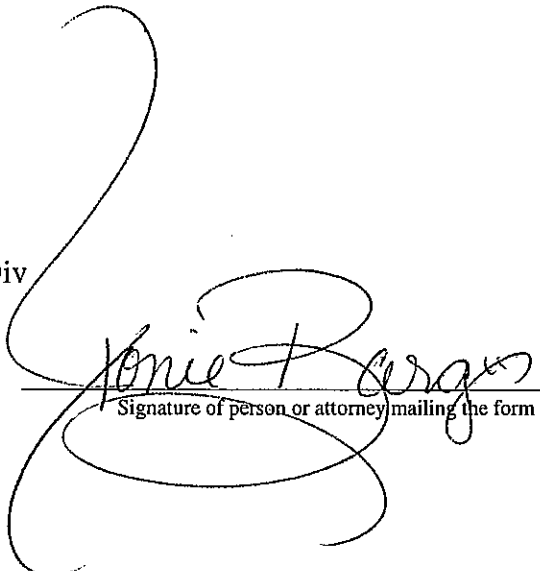
Each party in the subcase, or attorney of record

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

04/04/2008

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

RIGHT NUMBER: 22-7096

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.450 CFS
258.00 AFY

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

PRIORITY DATE: 07/15/1974

POINT OF
DIVERSION: T05N R46E S29 NWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.450 CFS 258.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 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 in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENW	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

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

04/04/2008

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

RIGHT NUMBER: 22-13627

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.660 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

PRIORITY DATE: 09/01/1891

POINT OF
DIVERSION: T05N R46E S20 SWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.660 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENW	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

This right is limited to the irrigation of 77 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.

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-567.

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

Water is delivered through Waddell Ditch.

04/04/2008

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

RIGHT NUMBER: 22-13629

NAME AND ADDRESS: TREES, INC
P O BOX 396
TETON VILLAGE WY 83025

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.420 CFS

The rights listed below are limited to a total combined diversion rate of 2.08 cfs. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T05N R46E S20 SWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.420 CFS

PLACE OF USE: IRRIGATION in TETON County

T05N R46E S29	SWNW	32.00	T05N R46E S29	SENW	12.00
T05N R46E S29	NESW	6.00	T05N R46E S29	NWSW	36.00

86 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 86 acres in a single irrigation season. Combined Right Nos.: 22-7096, 22-13627, 22-13629.

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.

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Waddell Ditch.

This right is a split from former right 22-81.