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

2008 JUN 25 PM 12 05

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

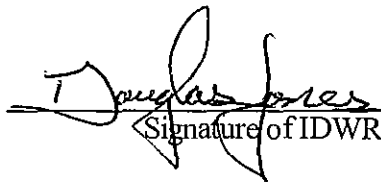
In Re SRBA	)	SUBCASE NO. 37-5, 37-466, 37-467,
	)	37-508, 37-833R, 37-889,
Case No. 39576	)	37-4368A, 37-11329
	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 *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: 6/24/08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/25, 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:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

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 West Fort Street MSC 033
Boise ID 83724

Deer Creek Ranch Inc
Attn John Flynn
PO Box 3090
Newport Beach CA 92658

Barker Rosholt & Simpson
PO Box 485
Twin Falls ID 83303



Signature of person or attorney mailing the form

06/03/2008

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

RIGHT NUMBER: 37-5

NAME AND ADDRESS: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.000 CFS

This right when combined with other water rights shall provide no more than 0.02 cfs per acre.

PRIORITY DATE: 03/10/1883

POINT OF
DIVERSION:

T03N R18E S29 NESWSW Within BLAINE County
T03N R18E S30 NWSESW Rediversion Within BLAINE County
T03N R18E S30 NWSESW Injection Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE	04/15 10/31	3.000 CFS
RECREATION	04/15 10/31	3.000 CFS
IRRIGATION	04/15 10/31	1.160 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T03N R18E S29	NWSW	3.00	T03N R18E S29 SWSW 7.00
T03N R18E S30	SWNE	13.00	T03N R18E S30 SENE 10.00
T03N R18E S30	NENW	30.00	T03N R18E S30 SENW 23.00
T03N R18E S30	NESE	1.00	T03N R18E S30 SESE 5.00
T03N R18E S32	NWNW	10.00	T03N R18E S32 SWNW 14.00
<u>WILDLIFE in BLAINE County</u>			
T03N R18E S30	NESW		T03N R18E S30 SESW
T03N R18E S30	NESE		T03N R18E S30 NWSE
T03N R18E S30	SWSE		T03N R18E S30 SESE
<u>RECREATION in BLAINE County</u>			
T03N R18E S30	NESW		T03N R18E S30 SESW
T03N R18E S30	NESE		T03N R18E S30 NWSE
T03N R18E S30	SWSE		T03N R18E S30 SESE

116 ACRES TOTAL

This right is limited to the irrigation of 58 acres in the place of use described herein in a single irrigation season.

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

The director retains jurisdiction to require compensation for evaporation losses from the ponds if determined to be necessary.

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 water right will be regulated by the watermaster of state water district no. 37.

A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained at the point of diversion from the big wood river. Additionally, a measuring device shall be installed at the mouth of deer creek for the purpose of verifying the equivalent flow of water being returned from the recreational and wildlife ponds.

06/03/2008

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

RIGHT NUMBER: 37-466

NAME AND ADDRESS: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

SOURCE: DEER CREEK TRIBUTARY: BIG WOOD RIVER
GROUND WATER TRIBUTARY:

QUANTITY: 9.770 CFS

This right when combined with other rights shall provide no more than 0.02 cfs per acre.

The maximum diversion rate from surface water and/or groundwater under this right shall not exceed 9.77 cfs.

If flows less than 9.77 cfs are measured, the groundwater diversions shall be reduced accordingly. Such pumping reductions must be made within 24 hours of the measurement showing reduced flows.

The diversion of up to 9.77 cfs of groundwater shall be contingent upon an equivalent amount of water being measured at a point in deer creek within the SESW, S26, T3N, R17E.

PRIORITY DATE: 04/01/1880

POINT OF
DIVERSION:

T03N R18E S30 NWNESE Within BLAINE County
T03N R18E S30 NESESE Within BLAINE County
T03N R18E S30 NESESE Within BLAINE County
T03N R18E S30 SESESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	9.770 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R17E S25	SWNE	21.00	T03N R17E S25	SENE	21.00
T03N R17E S25	SWNW	12.00	T03N R17E S25	SENW	20.00
T03N R17E S25	NESW	18.00	T03N R17E S25	NWSW	24.00
T03N R17E S25	NESE	27.00	T03N R17E S25	NWSE	26.00
T03N R17E S26	SENE	2.00	T03N R17E S26	NESW	11.00
T03N R17E S26	SESW	16.00	T03N R17E S26	NESE	21.00
T03N R17E S26	NWSE	17.00	T03N R17E S26	SWSE	8.80
T03N R18E S29	NWSW	8.40	T03N R18E S29	SWSW	10.00
T03N R18E S30	SWNE	1.60	T03N R18E S30	SENE	9.60
T03N R18E S30 Lot 2	SWNW	10.00	T03N R18E S30	SENW	4.80
T03N R18E S30	NESW	39.00	T03N R18E S30 Lot 3	NWSW	31.00
T03N R18E S30 Lot 4	SWSW	0.20	T03N R18E S30	SESW	15.00

T03N R18E S30	NESE	29.00	T03N R18E S30	NWSE	31.00
T03N R18E S30	SWSE	29.00	T03N R18E S30	SESE	25.00
T03N R18E S31	NENE	0.60			
489 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 37-466 and 37-11329.

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

A measuring device and lockable controlling works of a type acceptable to the department shall be permanently installed and maintained on deer creek within the SESW, S26, T3N, R17E.

06/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-467	DEER CREEK RANCH INC ATTN JOHN FLYNN PO BOX 3090 NEWPORT BEACH CA 92658	Disallowed	This water right has been RELINQUISHED in accordance with the provisions of Transfer No. 3861.

06/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-508	DEER CREEK RANCH INC ATTN JOHN FLYNN PO BOX 3090 NEWPORT BEACH CA 92658	Disallowed	This water right has been RELINQUISHED in accordance with the provisions of Transfer No. 3861.

06/03/2008

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

RIGHT NUMBER: 37-833R

NAME AND ADDRESS: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.000 CFS
175.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 11/12/1936

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

POINT OF
DIVERSION:

T03N R18E S29 NESWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS 175.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R17E S26	SWSW	40.00	T03N R18E S30	SENW	10.00
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50 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.

The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

A measuring device and lockable controlling works of a type acceptable to the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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.

06/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-889	DEER CREEK RANCH INC ATTN JOHN FLYNN PO BOX 3090 NEWPORT BEACH CA 92658	Disallowed	This water right has been RELINQUISHED in accordance with the provisions of Transfer No. 3861.

06/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4368A	DEER CREEK RANCH INC ATTN JOHN FLYNN PO BOX 3090 NEWPORT BEACH CA 92658	Disallowed	Recommended as Right No. 37-4368B.

06/03/2008

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

RIGHT NUMBER: 37-11329

NAME AND ADDRESS: DEER CREEK RANCH INC
ATTN JOHN FLYNN
PO BOX 3090
NEWPORT BEACH CA 92658

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.480 CFS
500.50 AFY

The rights listed below are limited to a total combined diversion rate of 9.78 cfs. Combined Right Nos.: 37-466 and 37-11329

This right when combined with other rights shall provide no more than 0.02 cfs per acre.

PRIORITY DATE: 07/21/1956

POINT OF
DIVERSION:

T03N R17E S26 NENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.480 CFS 500.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R17E S25	SWNE	21.00	T03N R17E S25	SENE	21.00
T03N R17E S25	SWNW	11.00	T03N R17E S25	SENW	20.00
T03N R17E S25	NESW	4.80	T03N R17E S25	NWSW	6.60
T03N R17E S25	NESE	25.00	T03N R17E S25	NWSE	10.00
T03N R17E S26	NESE	0.30	T03N R18E S30 Lot 2	SWNW	10.00
T03N R18E S30	SENW	4.80	T03N R18E S30	NESW	39.00
T03N R18E S30 Lot 3	NWSW	31.00	T03N R18E S30	SESW	4.20
T03N R18E S30	NESE	0.90	T03N R18E S30	NWSE	25.00
T03N R18E S30	SWSE	0.50			

235.1 ACRES TOTAL

This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 489 acres in a single irrigation season. Combined Right Nos.: 37-466 and 37-11329.

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

If right 37-466 appurtenant to the place of use is 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.

The right holder shall make full beneficial use of right 37-466 prior to diversion and use under this right. The right holder shall limit the diversion of ground water under this right to those times when right 37-466 is not available or is not reasonably sufficient to irrigate the place of use authorized under this 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 - Beneficial Use