

COPY

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

Case No. 39576

Water Rights: 37-7549 (Split)
37-22197 and 37-22198

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative Proceeding:

[X] License issued

[X] Substitution of party

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

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

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:

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 West Fort Street MSC 033
Boise ID 83724

Gary McStay
Mari McStay
PO Box 777
Bellevue ID 83313

Andrea Houck
Adam Clingerman
Pasquale Miele
Sebastian Nardecchia
2411 Old Crow Rd
San Ramon CA 94583

Everett Coates Estate
Rt 1 Box 1140
Fairfield ID 83327



Signature of person or attorney mailing the form

04/25/2008

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>
37-7549	EVERETT COATES ESTATE RT 1 BOX 1140 FAIRFIELD ID 83327	Disallowed	Recommended as 37-22197 & 37-22198

04/25/2008

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

RIGHT NUMBER: 37-22197

NAME AND ADDRESS: GARY M MCSTAY
PO BOX 777
Bellevue ID 83313

MARI MCSTAY
PO BOX 777
Bellevue ID 83313

SOURCE: WILLOW CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.170 CFS
50.40 AFY

Rights 37-2586, 37-22197, and 37-22198 when combined shall not exceed the irrigation of 764 acres.

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.

PRIORITY DATE: 01/26/1977

POINT OF
DIVERSION:

T01S R16E S10 SESESW Within CAMAS County
Right 37-22198 is also diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.170 CFS 50.40 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R16E S10	SENE	18.00	T01S R16E S10	SWSE	4.00
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22 ACRES TOTAL

This right does not authorize the irrigation of land not previously irrigated.

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

Water may not be diverted unless all of the prior water rights including those on the Wood River and for the storage of water in Magic Reservoir are fulfilled.

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.

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

04/25/2008

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

RIGHT NUMBER: 37-22198

NAME AND ADDRESS: ANDREA HOUCK
2411 OLD CROW RD
SAN RAMON CA 94583

ADAM CLINGERMAN
2411 OLD CROW RD
SAN RAMON CA 94583

PASQUALE MIELE
2411 OLD CROW RD
SAN RAMON CA 94583

SEBASTIAN NARDECCHIA
2411 OLD CROW RD
SAN RAMON CA 94583

SOURCE: WILLOW CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.880 CFS
270.30 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.

Rights 37-2586, 37-22197, and 37-22198 when combined shall not exceed the irrigation of 764 acres.

PRIORITY DATE: 01/26/1977

POINT OF
DIVERSION:

T01S R16E S10 SESESW Within CAMAS County
Right 37-22197 is also diverted through the point(s) of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.880 CFS 270.30 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R16E S10	SENE	17.00	T01S R16E S10	NESE	38.00
T01S R16E S10	SWSE	28.00	T01S R16E S10	SESE	35.00

118 ACRES TOTAL

This right does not authorize the irrigation of land not previously irrigated.

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

Water may not be diverted unless all of the prior water rights including those on the Wood River and for the storage of water in Magic Reservoir are fulfilled.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License