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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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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

Case No. 39576

) Subcase No. 37-20443 (Split)
) 37-22360 & 37-22361
)
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

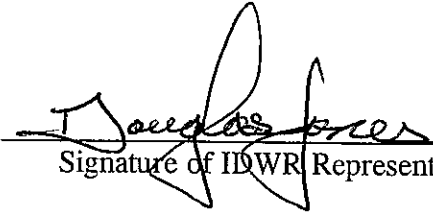
Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

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:

9/10/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/11, 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

Bell Mountain Ranch Homeowners Assn Inc
PO Box 1001
Hailey ID 83333

B & M Ranch LLC
PO Box 1001
Hailey ID 83333

James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

07/9/2008

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>
37-20443	B & M RANCH LLC PO BOX 1001 HAILEY ID 83333	Disallowed	Recommended as 37-22360 and 37-22361.

07/09/2008

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

RIGHT NUMBER: 37-22360

NAME AND ADDRESS: B & M RANCH LLC
PO BOX 1001
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.530 CFS
378.90 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/29/1965

POINT OF
DIVERSION:

T01N R19E S20 NWSESW 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	2.530 CFS 378.90 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S20	NESW	39.70	T01N R19E S20	SESW	35.80
T01N R19E S20	SWSE	28.30	T01N R19E S20	SESE	22.50

126.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 126.3 acres in a single irrigation season. Combined Right Nos.: 37-22358, 37-22360, 37-22362, and 37-22364.

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

This right is a split from former right 37-20443 .

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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

07/09/2008

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

RIGHT NUMBER: 37-22361

NAME AND ADDRESS: BELL MOUNTAIN RANCH HOMEOWNERS ASSN INC
PO BOX 1001
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.250 CFS
37.20 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/29/1965

POINT OF
DIVERSION:

T01N R19E S20 NWSESW 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	0.250 CFS 37.20 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S20	SESW	3.10	T01N R19E S20	SWSE	9.30
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12.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 12.4 acres in a single irrigation season. Combined Right Nos.: 37-22359, 37-22361, 37-22363 and 37-22365.

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 right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 37-20443.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.