

08/14/2008

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

RIGHT NUMBER: 47-7565

NAME AND ADDRESS: VISSER HOLSTEINS
450 E 3950 N
BUHL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.470 CFS
1,104.00 AFY

Rights 47-02316B, 47-02402, 47-02417, 47-07565, 47-07569, 47-07615, 47-07618 and 47-07642 when combined shall not exceed a total diversion rate of 24.71 cfs.

Rights 47-07565 and 47-07569 when combined shall not exceed a total annual maximum diversion volume of 1104.0 af at the field headgate.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands described.

PRIORITY DATE: 08/30/1979

POINT OF
DIVERSION:

T10S R13E S20 NESENE Rediversion Within TWIN FALLS County
T10S R13E S20 SESENE Within TWIN FALLS County
T10S R13E S20 SESENE Injection Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	4.470 CFS 1,104.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R13E S34	NENE	39.00	T09S R13E S34	NWNE	40.00
T09S R13E S34	SWNE	40.00	T09S R13E S34	SENE	39.00
T09S R13E S34	NESE	39.00	T09S R13E S34	NWSE	40.00
T09S R13E S34	SESE	39.00			

276 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 47-7569 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 276 ACRES IN A SINGLE IRRIGATION SEASON.

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 groundwater diverted under this right and shall only divert groundwater 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

Failure of the right holder to comply with the conditions of transfer 5406 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by transfer 5406 within one (1) year of the date of the approval.

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 determine the amount of water diverted from power records and shall annually report the information to the department.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 47G.

Measuring devices of a type approved by this Department shall be maintained at the point of injection into Salmon Falls Creek and at the point of rediversion from Salmon Falls Creek.

COPY

RECEIVED

SEP 15 2008

DEPARTMENT OF
WATER RESOURCES

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

2008 SEP 11 PM 11 35

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. 47-2316A, 47-2353,
) 47-2374, 47-2376, 47-2377, 47-2379,
) 47-2419, 47-4015, 47-4099, 47-4174,
) 47-4205, 47-7040, 47-7252, 47-7565,
) 47-7569, 47-7615, 47-7618, 47-12971,
) 51-13010
)
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)
_____)

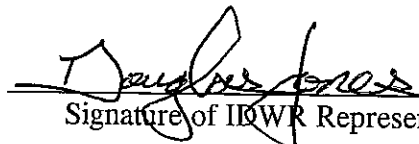
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

Visser Holsteins
450 E 3950 N
Buhl ID 83316

Driscoll Brothers Partnership
2250 S 3200 W
Aberdeen ID 83210



Signature of person or attorney mailing the form