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

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DEPARTMENT OF
WATER RESOURCES

2008 OCT 8 AM 10 11

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 Right: 63-9245

Case No. 39576

AMENDED NOTICE OF
COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

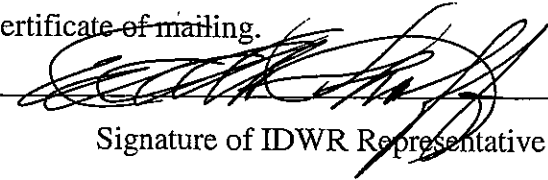
- ☐ Address change
☐ Substitution of Party
☒ IC § 42-222 transfer

- ☒ Point of diversion ☐ Place of use
☐ Period of use ☐ Nature of use
☐ Split of water right ☐ Change in ownership
☒ Other: Conditions & Remarks

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Report* for said water right. No other changes have been made to the elements of this water right except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report* 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: Oct 3, 2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/7, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

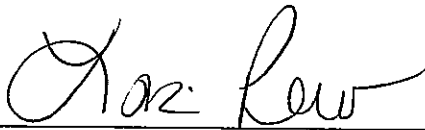
2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

Eagle Water Co., Inc.
P.O. Box 455
Eagle, ID 83616-0455



Signature of person mailing this document

10/02/2008

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

RIGHT NUMBER: 63-9245

NAME AND ADDRESS: EAGLE WATER CO INC
PO BOX 455
EAGLE ID 83616-0455

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.500 CFS

This right when combined with Right Nos. 63-7368 and 63-7618 shall not exceed 4.5 cfs per acre.

PRIORITY DATE: 06/08/1979

POINT OF
DIVERSION:

T04N R01E S9 NESENE Within ADA County
T04N R01E S9 NESWNW Within ADA County
T04N R01E S9 SWSWNW Within ADA County
~~T04N R01E S15 NESW Within ADA County~~
~~T04N R01E S15 SWNESW Within ADA County~~

To prevent injury to prior water rights appropriating water from the Boise River and/or the underlying shallow aquifer tributary to the Boise River, the new well used as a point of diversion for this water right located within the NESW, S15, T4N, R1E shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	01/01 12/31	3.500 CFS
MUNICIPAL	01/01 12/31	1.100 CFS

PLACE OF USE:

~~The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.~~

Place of use is within the service area of the Eagle Water Company municipal water supply system as provided for under Idaho Law.

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

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

The right holder shall accomplish the change authorized by Transfer 75035 within one year of the date of the approval.

~~The right holder shall accomplish the change authorized by Transfer 74820 within one year of the date of the approval.~~

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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