

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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DEPARTMENT OF
WATER RESOURCES

COPY

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 Rights: 22-383

(Split into 22-13892 and 22-13893)

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party BEARD-CITY OF TETONIA

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

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: 10/17/08

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Oct 10, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

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

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Elmer Leon Beard
624 N 450 W
Tetonia ID 83452

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
City of Tetonia
105 Perry Ave
PO Box 57
Tetonia ID 83452

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

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



Signature of person or attorney mailing the form

10/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER

22-383

CLAIM DISPOSITION REASON

Disallowed

Split into: 22-13892 and 22-13893

10/09/2008

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

RIGHT NUMBER: 22-13892

NAME AND ADDRESS: ELMER LEON BEARD
624 N 450 W
TETONIA ID 83452

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.800 CFS

PRIORITY DATE: 06/01/1897

POINT OF
DIVERSION:

T06N R45E S29 SWSWSW Within TETON County
T06N R45E S29 SWSWSW Within TETON County
T06N R45E S29 SWSWSW Within TETON County
T06N R45E S32 SWSWSW Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.800 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R45E S29 SWSW 39.00	T06N R45E S30 NESW 34.00	
	T06N R45E S30 NESE 40.00	T06N R45E S30 NWSE 40.00	
	T06N R45E S30 SESE 38.00		

191 ACRES TOTAL

This right is limited to the irrigation of 120 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 191 acres in a single irrigation season. Combined Right Nos.: 22-13890, 22-13892.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Blair Ditch, East Blair Ditch, West Blair Ditch and an unnamed ditch.

This right is a split from former right 22-383 .

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

10/09/2008

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

RIGHT NUMBER: 22-13893

NAME AND ADDRESS: CITY OF TETONIA
PO BOX 57
TETONIA ID 83452

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 06/01/1897

POINT OF
DIVERSION:

T06N R45E S29 SWSWSW Within TETON County
T06N R45E S29 SWSWSW Within TETON County
T06N R45E S29 SWSWSW Within TETON County
T06N R45E S32 SWNWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.600 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S29 NWSW 41.00

41 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 41 acres in a single irrigation season. Combined Right Nos.: 22-13891, 22-13893.

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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

This right is a split from former right 22-383 .

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Blair Ditch, East Blair Ditch, West Blair Ditch and an unnamed ditch.