

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

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OCT 24 2008

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

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)
)
)
)
Water Rights: 63-8718

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX 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
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: October 22, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 22, 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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Office of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Settlers Irrigation District	☐ overnight mail
PO Box 7571	☒ regular mail
Boise ID 83707	☐ hand-delivered
	☐ facsimile

Scott L. Campbell	☐ overnight mail
Moffatt Thomas Barrett Rock & Fields	☒ regular mail
PO Box 829	☐ hand-delivered
Boise ID 83701-0829	☐ facsimile



Signature of person mailing this document

COPY

DISTRICT COURT - SRDA
 IDAHO DEPARTMENT OF WATER RESOURCES
 TWIN FALLS CO., IDAHO
 RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW
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RIGHT NUMBER: 63-8718

2008 OCT 23 AM 10 14

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NAME AND ADDRESS: SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE ID 83707

DEPARTMENT OF
 WATER RESOURCES

~~MARTY GOLDSMITH~~
~~C/O FARWEST LLC~~
~~4487 N DRESDEN PLACE SUITE 102~~
~~BOISE ID 83714~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.840 CFS
 236.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/22/1977

POINT OF DIVERSION:

T04N R01E S30 SWNE Within ADA County

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.840 CFS 236.00 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S30	SWNE	20.00	T04N R01E S30	SESW	40.00
T04N R01E S30	NESW	20.00	T04N R01E S30	SESW	20.00
T04N R01E S30	NWSE	20.00	T04N R01E S30	SWSE	20.00

140 ACRES TOTAL

This right is limited to the irrigation of 53 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 - 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 determine the amount of water diverted from power records and shall annually report the information to the Department.

Place of use is located within Saguaro Canyon Subdivision.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Use of this right is combined with water from Settlers Irrigation District.

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.

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

The right holder shall accomplish the change authorized by Transfer 71676 within one year of the date of the approval.