

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: 75-4209

(Split into 75-14570 and 75-14571)

Case No. 39576

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party TOLMAN-SCHWARTZ
- ☐ 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: Nov 6, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 7, 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:
Edward Rex Tolman Kathy Tolman
41 Corbett Ln 125 Williams
Salmon ID 83467 Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Cary Schwatz
Rose Schwartz
10 Summer Creek Dr
Salmon ID 83467

4. One copy to:

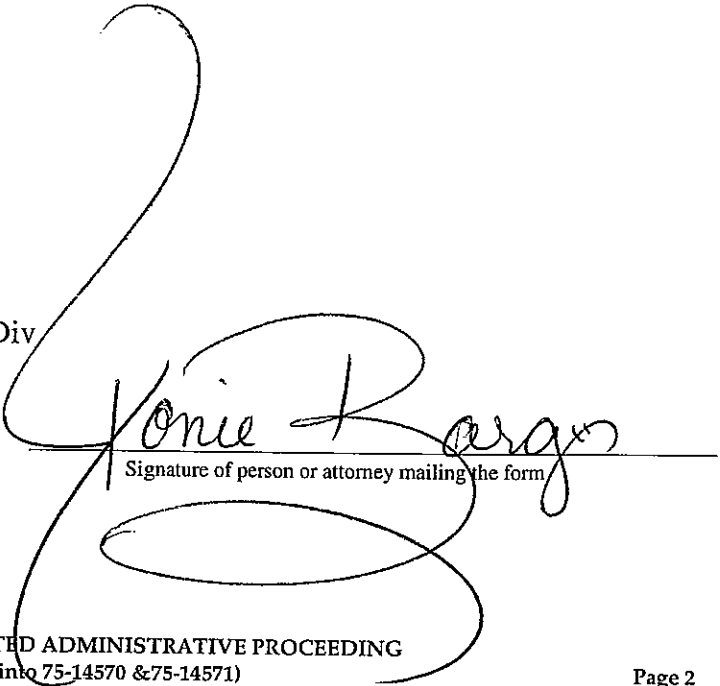
Each party in the subcase, or attorney of record

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

10/31/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

75-4209

CLAIM DISPOSITION REASON

Disallowed

Split into 75-14570 and 75-14571

10/31/2008

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

RIGHT NUMBER: 75-14570

NAME AND ADDRESS: EDWARD REX TOLMAN
41 CORBETT LN
SALMON ID 83467

KATHY TOLMAN
125 WILLIAMS CREEK RD
SALMON ID 83467

SOURCE: PERREAU CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 2.080 CFS

PRIORITY DATE: 05/20/1898

POINT OF
DIVERSION:

T20N R21E S1 SWNNW Lot 4 Within LEMHI County
T20N R21E S2 NNNWNE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.080 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T20N R21E S01 SENE 0.60	T20N R21E S01 NESE	14.00
	T20N R22E S06 Lot 4 NENW 26.00	T20N R22E S06 Lot 5 NWNW	13.00
	T20N R22E S06 SWNW 31.30	T20N R22E S06 SENW	7.60
	T20N R22E S06 Lot 7 NWSW 11.00		

103.5 ACRES TOTAL

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 - Beneficial Use

This right is a split from former right 75-4209 .

10/31/2008

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

RIGHT NUMBER: 75-14571
NAME AND ADDRESS: CARY SCHWARTZ
10 SUMMER CREEK DR
SALMON ID 83467
ROSE SCHWARTZ
10 SUMMER CREEK DR
SALMON ID 83467

SOURCE: PERREAU CREEK
QUANTITY: 0.100 CFS
PRIORITY DATE: 05/20/1898
POINT OF DIVERSION:

TRIBUTARY: SALMON RIVER

T20N R21E S1 SWNNW Lot 4 Within LEMHI County
T20N R21E S2 NWNWE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T20N R21E S01 SENE 0.50	T20N R21E S01 NESE	1.00
	T20N R22E S06 Lot 6 SWNW 1.70	T20N R22E S06 Lot 7 NWSW	2.00

5.2 ACRES TOTAL

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 - Beneficial Use

This right is a split from former right 75-4209 .