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DEC 03 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 28 2008

By _____ Clerk

Deputy Clerk

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: 22-13374

(Split into 22-13878, 22-13879, 22-

13899, 22-13900, 22-13901 & 22-13902)

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party BROWER & LATER-HANSON & POWERS, TETONIA PROPERTIES
LLC, BROWER, BROWER FAMILY TRUST, HUMBLE, IDAHO DEPARTMENT OF
TRANSPORTATION

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

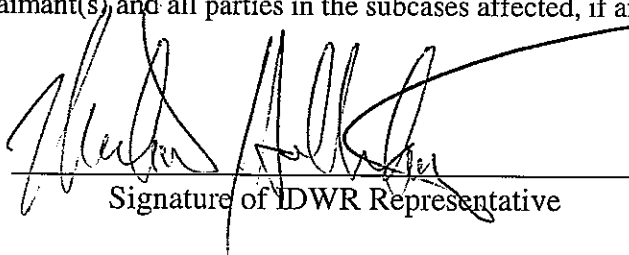
☐ split of water right

☐ 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: 11/25/2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Nov. 26, 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:

W Ried Brower	Edward Brower	Kolene Later
Marjean Brower	947 N Hwy 32	C/O Jerry Rigby
881 N Hwy 32	Tetonia ID 83452	25 N 2 nd E
Tetonia ID 83452		PO Box 250
		Rexburg ID 83440-0250

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

Thomas Hanson	Tetonia Properties LLC	W Reid & Marjean Brower
Katherine Hanson	C/O Pete Freymann	Family Trust
PO Box 1750	394 S 100 W	881 Hwy 32
Missoula MT 59806	Victor ID 83455	Tetonia ID 83452
Aaron Powers	Beulah Brower	Shannon Dee Humble
Meghan Hanson	947 Hwy 32	PO Box 506
PO Box 669	Tetonia ID 83452	Victor ID 83455-0506
Victor ID 83455		

State of Idaho
Idaho Department of Transportation
PO Box 97
Rigby ID 83442-0097

CERTIFICATE OF MAILING (Cont)

4. One copy to:

Each party in the subcase, or attorney of record

Thomas Hanson Beulah Brower
C/O Barton J Birch Kolene Later
81 N Main St Ste B C/O Jerry R Rigby
Driggs ID 83442 25 N 2nd E

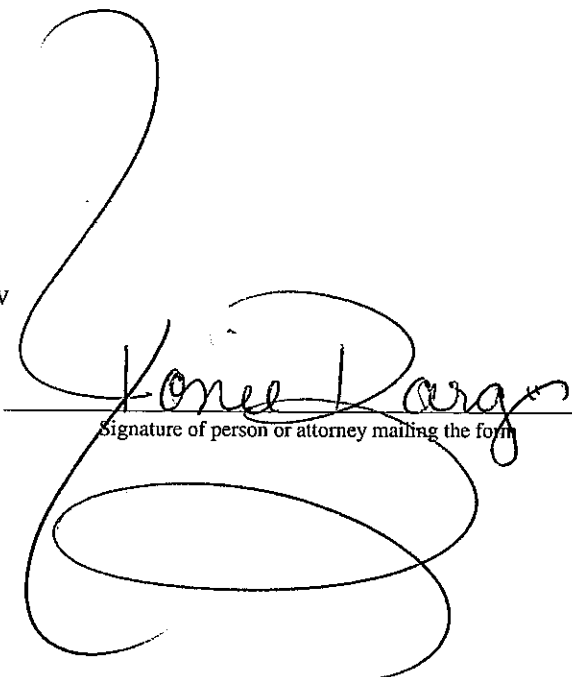
PO Box 250
Rexburg ID 83440-0250

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

11/3/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

22-13374

Disallowed
Split into: 22-13878, 22-13879, 22-13899, 22-13900,
22-13901 & 22-13902

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

RIGHT NUMBER: 22-13878

NAME AND ADDRESS: THOMAS HANSON
PO BOX 1750
MISSOULA MT 59806

KATHERINE HANSON
PO BOX 1750
MISSOULA MT 59806

MEGHAN HANSON
PO BOX 669
VICTOR ID 83455

AARON POWERS
PO BOX 669
VICTOR ID 83455

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.390 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.390 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S08	SWSW	2.00	T06N R45E S17	NWNW	17.00
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19 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 19 acres in a single irrigation season. Combined Right Nos.: 22-13878, 22-13881, and 22-13884.

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 22-13374 .

Water is delivered through Stewart Ditch.

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

RIGHT NUMBER: 22-13879

NAME AND ADDRESS: TETONIA PROPERTIES LLC
C/O PETE FREYMAN
394 S 100 W
VICTOR ID 83455

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.310 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.310 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17 NWNW 14.80

14.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14.8 acres in a single irrigation season. Combined Right Nos.: 22-13879, 22-13882, and 22-13885.

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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-13374 .

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

RIGHT NUMBER: 22-13899

NAME AND ADDRESS: BEULAH BROWER
947 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.760 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.760 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S08	NESW	7.90	T06N R45E S08	NWSW	26.00
T06N R45E S08	SWSW	2.20	T06N R45E S08	SESW	0.90

37 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 37 acres in a single irrigation season. Combined Right Nos.: 22-13899, 22-13903, and 22-13907.

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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-174B.

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

RIGHT NUMBER: 22-13900

NAME AND ADDRESS: W REID AND MARJEAN BROWER FAMILY TRUST
881 HWY 32
TETONIA ID 83452

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.720 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17	NWNW	2.50	T06N R45E S17	SWNW	34.00
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36.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 36.5 acres in a single irrigation season. Combined Right Nos.: 22-13900, 22-13904, and 22-13908.

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

Water is delivered through Stewart Ditch.

This right is a split from former right 22-174B.

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

RIGHT NUMBER: 22-13901

NAME AND ADDRESS: SHANNON DEE HUMBLE
PO BOX 506
VICTOR ID 83455-0506

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.170 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE 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	0.170 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17	NWNW	0.20	T06N R45E S17	SWNW	3.90
T06N R45E S17	SEnw	4.70			

8.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.8 acres in a single irrigation season. Combined Right Nos.: 22-13901, 22-13905, and 22-13909.

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 22-174B.

Water is delivered through Stewart Ditch.

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

RIGHT NUMBER: 22-13902

NAME AND ADDRESS: STATE OF IDAHO
IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY ID 83442-0097

SOURCE: BADGER CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T06N R45E S8 NWNESE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.090 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17 SENW 4.30

4.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4.3 acres in a single irrigation season. Combined Right Nos.: 22-13902, 22-13906, and 22-13910.

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 22-174B.

Water is delivered through Stewart Ditch.