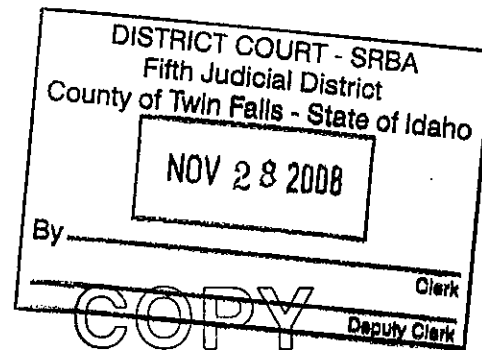


RECEIVED

DEC 03 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 )

**Water Rights:** 22-13381  
(Split into 22-13870 and 22-13871)

Case No. 39576 )

**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party MERRILL BROWER & SONS-ID TRANSPORTATION DEPT &  
COOKE

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

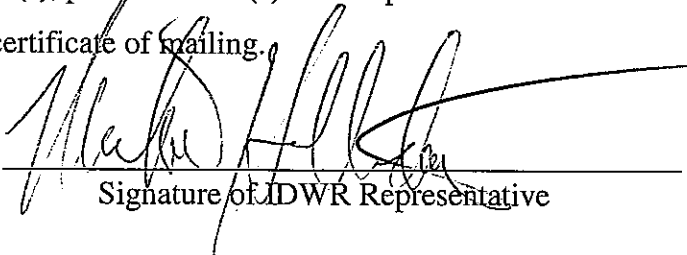
☐ period of use ☐ nature of use

☐ 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:  
Merrill Brower & Sons Inc  
642 Jeffrey Pl  
Chubbuck ID 83202-5368

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
Brett Cooke                      State of Idaho  
Anita Cooke                      Idaho Transportation Department  
50 E Wallace                      PO Box 97  
Driggs ID 83422                  Rigby ID 83442-0097

4. One copy to:

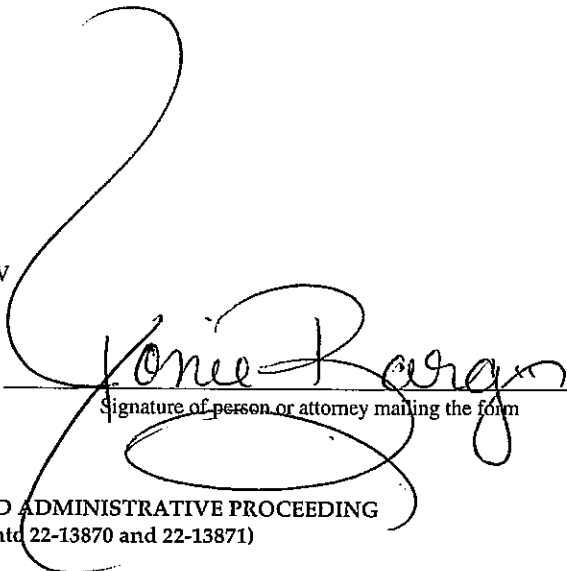
Each party in the subcase, or attorney of record  
Beulah Brower  
Kolene Later  
C/O Jerry R Rigby  
25 N 2<sup>nd</sup> E  
PO Box 250  
Rexburg ID 83440-0250

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

22-13381

Disallowed  
Split into: 22-13870 and 22-13871

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

---

RIGHT NUMBER: 22-13870

NAME AND ADDRESS: BRETT COOKE  
50 EAST WALLACE  
DRIGGS ID 83422

ANITA COOKE  
50 EAST WALLACE  
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS  
83.90 AFY

PRIORITY DATE: 10/31/1960

POINT OF  
DIVERSION:

T06N R45E S8 SWNESW Within TETON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.230 CFS  
83.90 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S17

NENW

28.00

T06N R45E S17

NWNW

4.00

32 ACRES TOTAL

Use of this right with Right Nos. 22-13866 and 22-13868 are limited to the irrigation of a combined total of 32 acres 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

This right is a split from former right 22-13381 .

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

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

---

RIGHT NUMBER: 22-13871

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS  
139.00 AFY

PRIORITY DATE: 10/31/1960

POINT OF  
DIVERSION:

T06N R45E S8 SWNESW Within TETON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.380 CFS  
139.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S08

SWSW

34.00

T06N R45E S08

SESW

20.00

54 ACRES TOTAL

Use of this right with Right Nos. 22-13367 and 22-13869 are limited to the irrigation of a combined total of 54 acres 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

This right is a split from former right 22-13381 .

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