

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: 22-11960

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74677

☒ 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: Dec 1, 2008

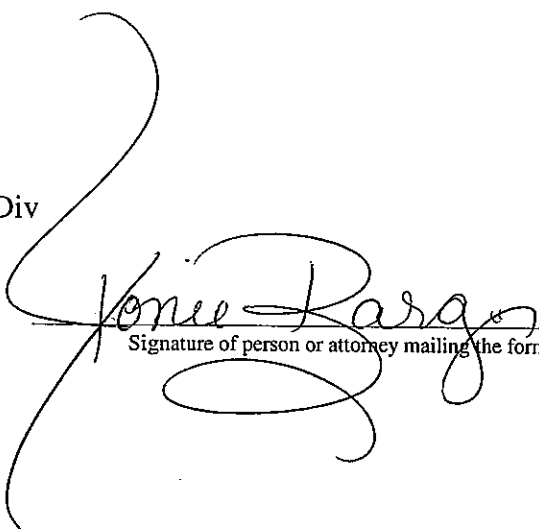
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 5, 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:
William S Graham Revocable Trust
241 Melrose Ave
Kentworth IL 60043
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
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

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

RIGHT NUMBER: 22-11960

NAME AND ADDRESS: WILLIAM S GRAHAM REVOCABLE TRUST
241 MELROSE AVE
KENTWORTH IL 60043

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON CREEK

QUANTITY: 1.400 CFS

This right authorizes the diversion of an annual total of 17.7 af to be used for the initial filling of the pond and for the replacement of losses caused by evaporation from the pond.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The pond established for the storage of water under this right shall not exceed a total capacity of 6.4 acre feet or a total surface area of 6.4 acres.

PRIORITY DATE: 05/11/1900

POINT OF
DIVERSION: T04N R45E S4 SWNENW Lot 3 Within TETON County
T04N R45E S4 SENWNW Lot 4 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	1.240 CFS
DIVERSION TO STORAGE	04/15 10/31	0.160 CFS
WILDLIFE STORAGE	01/01 12/31	17.70 AFY

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S04 Lot 4 NWNW	21.00	T04N R45E S05 Lot 1 NENE	28.50
T04N R45E S05	SENE	12.40	

WILDLIFE STORAGE in TETON County

T04N R45E S04 Lot 4 NWNW		T04N R45E S05 Lot 1 NENE	
T04N R45E S05	SENE		

61.9 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.

Diversion to storage for wildlife purposes under this right is limited to times when the pond is initially filling, or refilling due to evaporation losses from the pond. Water shall not be diverted for wildlife purposes under this right at times when water would flow through the pond for discharge back to the creek.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The right holder shall accomplish the change authorized by approved transfer 74677 by June 25, 2009.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

Failure of the right holder to comply with the conditions of approved transfer 74677 is cause for the Director to rescind approval of the transfer.

The approved transfer 74677 redefines all of the elements of this water right, and the new use(s) of water authorized by this approval shall constitute the full extent of the right.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).