

COPY

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

2008 DEC 23 AM 10 44

RECEIVED

DEC 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

)
)
)
)
)

Water Rights: 63-3266, 63-8215

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

XX Other – Conditions & Remarks

☐ 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: December 22, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 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:

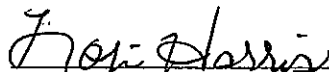
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

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:

City of Kuna	☐ overnight mail
PO Box 13	☒ regular mail
Kuna ID 83634-0013	☐ hand-delivered
	☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

RECEIVED

COPY

IDaho DEPARTMENT OF WATER RESOURCES
 RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW
 DEPARTMENT OF
 WATER RESOURCES

RIGHT NUMBER: 63-3266

NAME AND ADDRESS: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

~~The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215, and 63-11970 shall not exceed 9.02 cfs.~~

PRIORITY DATE: 03/21/1962

POINT OF DIVERSION:

T02N R01W S23 SWNE Within ADA County
 T02N R01W S23 SWSW Within ADA County
T02N R01W S23 SWSW Within ADA County
 T02N R01W S23 SESE Within ADA County

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MUNICIPAL	01/01 12/31	1.340 CFS

~~Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality~~

PLACE OF USE:

T01N R01W S01 _____ NESW	T01N R01W S01 _____ NWSW
T01N R01W S01 _____ SWSW	T01N R01W S01 _____ SSSW
T01N R01W S02 Lot 1 NENE	T01N R01W S02 Lot 2 NNWE
T01N R01W S02 _____ SWNE	T01N R01W S02 _____ SENE
T01N R01W S02 Lot 3 NENW	T01N R01W S02 _____ SENW
T01N R01W S02 _____ NESE	T01N R01W S02 _____ NWSE
T01N R01W S02 _____ SESE	

Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

2008 DEC 23 AM 10 44
 FILED
 DISTRICT COURT - ORDA
 TETON FALLS CO., IDAHO

~~The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.~~

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall accomplish the change authorized by transfer 75059 within one year of the date of the approval.

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Approval of Transfer 75059 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

~~Approval of Transfer 69087 does not grant any right of way or easement for use of a delivery system owned by person(s) other than the right owner.~~

RECEIVED

COPY

DEC 24 2008

IDAHO DEPARTMENT OF WATER RESOURCES
 RECOMMENDATION OF WATER RIGHTS ACQUISITION UNDER STATE LAW

RIGHT NUMBER: 63-8215

NAME AND ADDRESS: CITY OF KUNA
 PO BOX 13
 KUNA ID 83634-0013

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.900 CFS

~~The total instantaneous diversion of water from all points of diversion under Rights 63-3266, 63-8215, and 63-11970 shall not exceed 9.02 cfs.~~

PRIORITY DATE: 10/02/1975

POINT OF DIVERSION:

T02N R01W S23 SWNE Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SWSW Within ADA County

T02N R01W S23 SESE Within ADA County

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MUNICIPAL	01/01 12/31	3.900 CFS

~~Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality~~

PLACE OF USE:

T01N R01W S01 ——— NESW	T01N R01W S01 ——— NWSW
T01N R01W S01 ——— SWSW	T01N R01W S01 ——— SESW
T01N R01W S02 Lot 1 NENE	T01N R01W S02 Lot 2 NWNE
T01N R01W S02 ——— SWNE	T01N R01W S02 ——— SENE
T01N R01W S02 Lot 3 NENW	T01N R01W S02 ——— SENW
T01N R01W S02 ——— NESE	T01N R01W S02 ——— NWSE
T01N R01W S02 ——— SESE	

Place of use is within the service area of the City of Kuna municipal water supply system as provided for under Idaho Law.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

2008 DEC 23 PM 10 44
 FILED
 TWIN FALLS CO., IDAHO
 DISTRICT COURT - 3000

~~The place of municipal use authorized by this approval includes land specifically described above upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the municipal system within the City of Kuna and service area as authorized by these water rights.~~

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall accomplish the change authorized by transfer 75059 within one year of the date of the approval.

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Approval of Transfer 75059 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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

~~Approval of Transfer 69087 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.~~