

DISTRICT COURT - IDAHO  
TWIN FALLS CO., IDAHO  
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FEB 02 2009

DEPARTMENT OF  
WATER RESOURCES

**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

PAGE 1

## CERTIFICATE OF MAILING

I certify that on January 28, 2009, 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    | <input type="checkbox"/> overnight mail          |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 2707                  | <input type="checkbox"/> hand-delivered          |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/> facsimile               |

### 2. Copies to:

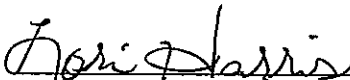
|                                 |                                                  |
|---------------------------------|--------------------------------------------------|
| Clive Strong                    | <input type="checkbox"/> overnight mail          |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 44449                  | <input type="checkbox"/> hand-delivered          |
| Boise, ID 83711-4449            | <input type="checkbox"/> facsimile               |

|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| United States Dept of Justice      | <input type="checkbox"/> overnight mail          |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> regular mail |
| 550 West Fort Street MSC 033       | <input type="checkbox"/> hand-delivered          |
| Boise ID 83724                     | <input type="checkbox"/> facsimile               |

### 3. Copies to all parties to the subcase:

|                      |                                                  |
|----------------------|--------------------------------------------------|
| Tina Iest            | <input type="checkbox"/> overnight mail          |
| c/o Helen C. Tidwell | <input checked="" type="checkbox"/> regular mail |
| 5700 S. Linder Rd.   | <input type="checkbox"/> hand-delivered          |
| Meridian ID 83642    | <input type="checkbox"/> facsimile               |

|                                         |
|-----------------------------------------|
| <input type="checkbox"/> overnight mail |
| <input type="checkbox"/> regular mail   |
| <input type="checkbox"/> hand-delivered |
| <input type="checkbox"/> facsimile      |

  
Signature of person mailing this document

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FEB 02 2009

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

RIGHT NUMBER: 63-178C

NAME AND ADDRESS: TINA IEST  
C/O HELEN C TIDWELL  
5700 S LINDER RD  
MERIDIAN ID 83642

~~C/O DAVID TIDWELL~~  
~~5700 S LINDER RD~~  
~~MERIDIAN ID 83642~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 7.330 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1869

POINT OF DIVERSION:

T05N R05W S25 SWSE Lot 2 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 7.330 CFS       |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in CANYON County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T05N R05W S23       | NESW | 31.10 | T05N R05W S23       | NWSW | 15.20 |
| T05N R05W S23       | SWSW | 34.30 | T05N R05W S23       | SESW | 38.20 |
| T05N R05W S23       | NWSE | 12.30 | T05N R05W S23       | SWSE | 27.20 |
| T05N R05W S26 Lot 1 | NENE | 27.00 | T05N R05W S26 Lot 2 | NWNE | 27.60 |
| T05N R05W S26       | NENW | 12.20 |                     |      |       |

225.1 ACRES TOTAL

FILED  
 JAN 23 PM 10 51  
 CLERK OF DISTRICT COURT - CANYON  
 COUNTY, IDAHO

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 designated as No. 44 in the Stewart Decree and the Boise Water Distribution Report.

This right is renumbered from former right 63-178.

COPY

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

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RIGHT NUMBER: 63-5179  
NAME AND ADDRESS: TINA IEST  
C/O HELEN C TIDWELL  
5700 S LINDER RD  
MERIDIAN ID 83642

DEPARTMENT OF  
WATER RESOURCES

2313 TERRACE DR  
CALDWELL ID 83605

SOURCE: BOISE RIVER  
DIXIE SLOUGH

TRIBUTARY: SNAKE RIVER  
TRIBUTARY: BOISE RIVER

QUANTITY: 3.190 CFS

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION:

T05N R05W S26 SWSE Within CANYON County

T05N R05W S36 NESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/01 11/15   | 3.190 CFS |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in CANYON County

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T05N R05W S26 Lot 5 SWNW | 9.00  | T05N R05W S26 Lot 7 NESW | 7.00  |
| T05N R05W S26 Lot 6 NWSW | 32.00 | T05N R05W S26 SWSW       | 23.50 |
| T05N R05W S26 SESW       | 31.00 | T05N R05W S26 SWSE       | 5.00  |
| T05N R05W S27 Lot 2 NWNE | 3.50  | T05N R05W S27 Lot 1 SENE | 48.50 |

159.5 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

2009 JUN 23 PM 10 51  
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IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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DEPARTMENT OF  
WATER RESOURCES

RIGHT NUMBER: 63-5181

NAME AND ADDRESS: TINA IEST  
C/O HELEN C TIDWELL  
5700 S LINDER RD  
MERIDIAN ID 83642

~~2313 TERRACE DR~~  
~~CALDWELL ID 83605~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.900 CFS

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION:

T05N R05W S36 NWNW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/01 11/15   | 1.900 CFS |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in CANYON County

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T05N R05W S25 Lot 6 NWNW | 1.00  | T05N R05W S25 Lot 7 SWNW | 18.50 |
| T05N R05W S25 Lot 8 NWSW | 22.00 | T05N R05W S26 Lot 9 SENE | 30.00 |
| T05N R05W S26 NESE       | 18.00 | T05N R05W S26 SESE       | 5.50  |

95 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

Right No. 63-5182 is also diverted through point of diversion described above.

2009 JUN 29 10 10 51  
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DISTRICT COURT - 303  
TWIN FALLS CO. ID 83400

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DEPARTMENT OF  
WATER RESOURCES

~~2313 TERRACE DR~~  
~~CALDWELL ID 83605~~

TRIBUTARY: SNAKE RIVER

PRIORITY DATE: 04/01/1951

T05N R05W S36 NWNW Within CANYON County

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 1.640 CFS       |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T05N R05W S26 Lot 8 SWNE | 13.00 | T05N R05W S26 Lot 3 NENW | 13.00 |
| T05N R05W S26 Lot 7 NESW | 4.00  | T05N R05W S26 NESE       | 1.00  |
| T05N R05W S26 NWSE       | 38.00 | T05N R05W S26 SWSE       | 6.00  |
| T05N R05W S26 SESE       | 7.00  |                          |       |

82 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

Right No. 63-5181 is also diverted through point of diversion described above.