

COPY

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB - 5 2009
By _____ Clerk
Deputy Clerk

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 Right: 63-33040 (Split)
) into 63-33145 and 63-33146
)

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE
) PROCEEDING
)

IDWR has completed the following administrative proceeding:

☐ Address change

☒ Substitution of Party

☒ Split of water right

☒ Change in ownership

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

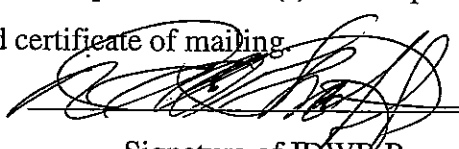
☐ Split of water right

☐ Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water right 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: Feb 2, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/4, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

John R. Lindley
29453 Gotsch Rd.
Parma, ID 83660

L.W. and Barbara Ragains
29392 Sabin
Parma, ID 83660

Jon C. Gould
Ringert Law Chtd.
P.O. Box 2773
Boise, ID 83701-2773

Dana L. Hofstetter
Hofstetter Law Office
608 W. Franklin St.
Boise, ID 83702



Signature of person mailing this document

12/26/2008

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

RIGHT NUMBER: 63-33040

SPLIT RIGHT: SEE RIGHT NOS. 63-33145 and 63-33146.

12/26/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
63-33040	BARBARA J RAGAINS 29392 SABIN PARMA ID 83660	Disallowed	Recommended as Right Nos. 63-33145 & 63-33146
	L W RAGAINS 29392 SABIN PARMA ID 83660		

12/26/2008

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

RIGHT NUMBER: 63-33145

NAME AND ADDRESS: BARBARA J RAGAINS
29392 SABIN
PARMA ID 83660

L W RAGAINS
29392 SABIN
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.660 CFS
499.50 AFY

PRIORITY DATE: 04/18/1977

POINT OF
DIVERSION:

T05N R05W S1 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.660 CFS
499.50 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S01 Lot 3 NENW	10.00	T05N R05W S01 Lot 4 NWNW	23.00
T05N R05W S01 NESW	40.00	T05N R05W S01 NWSW	38.00

111 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 - License

This right is a split from former right 63-33040.

This right is a split from former right 63-8700.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Right No. 63-9110 is also diverted through point of diversion described above.

Use of this right is combined with water from Black Canyon Irrigation District.

12/26/2008

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

RIGHT NUMBER: 63-33146

NAME AND ADDRESS: JOHN R LINDLEY
29453 GOTSCH RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.360 CFS
108.00 AFY

PRIORITY DATE: 04/18/1977

POINT OF
DIVERSION:

T05N R05W S1 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.360 CFS
108.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S01 SWNE 18.00 T05N R05W S01 SENE 6.00

24 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 - License

Use of this right is combined with water from Black Canyon Irrigation District.

Right No. 63-9110 is also diverted through point of diversion described above.

This right is a split from former right 63-8700.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

This right is a split from former right 63-33040.