

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB - 9 2009

By _____ Clerk
 _____ Deputy Clerk

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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: 75-14483 & 75-14485

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 74829

☐ 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: 2/2/2009

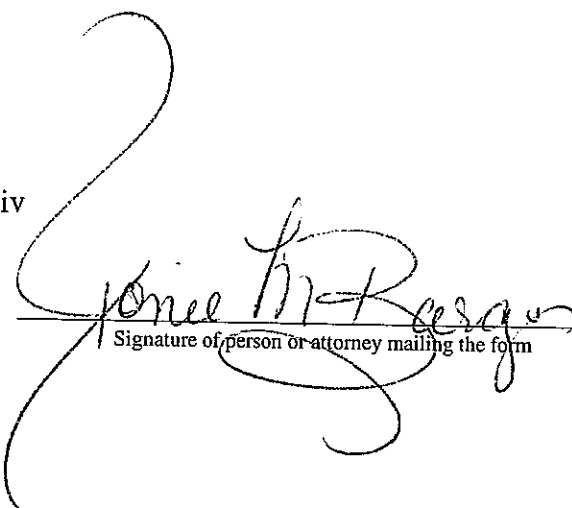


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 16, 2009, 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:
Thomas H Carlson
Evelyn R Carlson
PO Box 206
Leadore ID 83464
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: 75-14483

NAME AND ADDRESS: THOMAS H CARLSON
PO BOX 206
LEADORE ID 83464

EVELYN R CARLSON
PO BOX 206
LEADORE ID 83464

SOURCE: GROUND WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.890 CFS
506.40 AFY

Right Nos. 75-14483 and 75-14485 are limited to a total combined diversion rate of 2.89 cfs.

The rights listed below are limited to a total combined annual diversion volume of 547.8 Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485

PRIORITY DATE: 10/17/1957

POINT OF
DIVERSION:

T16N R20E S24 SESWNE Lot 4 Within LEMHI County

T16N R20E S24 SESWSW Lot 9 Within LEMHI County

The following rights are diverted through point(s) of diversion described above: 75-14482, 75-14483, 75-14484 & 75-14485

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.890 CFS 506.40 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T16N R20E S24 Lot 1 NENE	43.00	T16N R20E S24 Lot 4 SWNE	19.00
T16N R20E S24 SENE	32.00	T16N R20E S24 Lot 9 SWSW	19.00
T16N R20E S24 Lot 10 SESW	9.50	T16N R21E S19 Lot 2 NWNW	22.00
T16N R21E S19 Lot 3 SWNW	12.00		

156.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 156.5 acres in a single irrigation season. Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of transfer 74829 is cause for the Director to rescind approval of the transfer.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the original points of diversion located in NWNWSE, S24 and NENWNW, S25, T16N, R20E.

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.

The right holder shall accomplish the change authorized by transfer 74829 within one year of December 30, 2008.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is limited to the irrigation of 144.7 acres within the place of use described above in a single irrigation season.

Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

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.

Right No. 75-14485 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

RIGHT NUMBER: 75-14485

NAME AND ADDRESS: THOMAS H CARLSON
PO BOX 206
LEADORE ID 83464

EVELYN R CARLSON
PO BOX 206
LEADORE ID 83464

SOURCE: GROUND WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.240 CFS
41.40 AFY

The rights listed below are limited to a total combined annual diversion volume of 547.8 Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485

Right Nos. 75-14483 and 75-14485 are limited to a total combined diversion rate of 2.89 cfs.

PRIORITY DATE: 05/10/1979

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T16N R20E S24 SESWNE Lot 4 Within LEMHI County
T16N R20E S24 SESWSW Lot 9 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.240 CFS 41.40 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T16N R20E S24 Lot 1 NENE	43.00	T16N R20E S24 Lot 4 SWNE	19.00
T16N R20E S24 SENE	32.00	T16N R20E S24 Lot 9 SWSW	19.00
T16N R20E S24 Lot 10 SESW	9.50	T16N R21E S19 Lot 2 NWNW	22.00
T16N R21E S19 Lot 3 SWNW	12.00		

156.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 156.5 acres in a single irrigation season. Combined Right Nos.: 75-7420, 75-7530, 75-14483 & 75-14485

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of transfer 74829 is cause for the Director to rescind approval of the transfer.

This right is based upon an enlargement of Right No. 75-14483 pursuant to Section 42-1426, Idaho Code.

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 of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the original points of diversion located in NWNWSE, S24 and NENWNW, S25, T16N, R20E.

The right holder shall accomplish the change authorized by transfer 74829 within one year of December 30, 2008.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are diverted through point(s) of diversion described above: 75-14482, 75-14483, 75-14484 & 75-14485

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.

Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.