

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: 73-00187B,
73-02073 & 73-11953

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party Triple T - EAC
- ☐ I.C. § 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 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: 21 January 09

Ernest C. Smith
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 27, 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:
Triple T Summit Ranch
C/O Edwin C & Linda M Thomas
PO Box 1842
Sun Valley ID 83353

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
EAC REV No. 13 LLC
PO Box 3410
Boone NC 28607

4. One copy to:

Each party in the subcase, or attorney of record:
Triple T Summit Ranch
Represented by: Fritz X Haemmerle
PO Box 1800
Hailey ID 83333

Brett Mac Neil
Scythe & Spade Co
453 S Fitness Pl
Eagle ID 83616

Capitol Law Group PLLC
301 Main St
PO Box 32
Gooding ID 83330

Old Corrals & Sagebrush LLLP
435 S Fitness Pl
Eagle ID 83616

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

01/13/2009

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

RIGHT NUMBER: 73-187B

NAME AND ADDRESS: EAC REV NO. 13 LLC
PO BOX 3410
BOONE NC 28607

SOURCE: BIG GULCH CREEK

TRIBUTARY: GOLDBURG CREEK

QUANTITY: 2.000 CFS

Two (2) cfs of this right may be transferred when the total amount available from Hillside Creek (formerly known as Hill Creek) and Graves Springs equals or exceeds 125 miners inches (2.5 cfs); and when the combined amount from all three sources - Hillside Creek (formerly known as Hill Creek), Big Gulch Creek, and Graves Springs - is less than 225 miners inches (4.5 cfs), 100/225 (2.0 cfs) of the combined amount may be used from Big Gulch Creek, if available, at the point of diversion described below.

PRIORITY DATE: 06/18/1909

POINT OF
DIVERSION:

T12N R24E S25 SWNE Within CUSTER County

The point of diversion from Big Gulch Creek is more specifically located in T12N, R24 1/2 E, S25, SWNE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
IRRIGATION	05/01	10/31	2.000 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T11N R24E S01 Lot 1 NENE	22.00	T11N R25E S05	SWNW	14.00
T11N R25E S05 NESW	1.00	T11N R25E S05	SESW	0.50
T11N R25E S06 SWNE	30.00	T11N R25E S06	SENE	0.10
T11N R25E S06 SENE	7.50	T11N R25E S06	NENW	5.70
T11N R25E S06 Lot 3 NENW	11.00	T11N R25E S06 Lot 4 NWNW		23.00
T11N R25E S06 Lot 5 SWNW	10.00	T11N R25E S06	SENW	26.00
T11N R25E S06 NESW	3.50	T11N R25E S06	NESE	4.90
T11N R25E S06 NESE	4.50	T11N R25E S06	NWSE	22.00
T12N R25E S31 Lot 4 SWSW	24.00			

209.7 ACRES TOTAL

Right Nos. 73-187B and 73-2073 are limited to the irrigation of a combined total of 209.7 acres in a single irrigation season.

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

01/13/2009

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

RIGHT NUMBER: 73-2073

NAME AND ADDRESS: EAC REV NO. 13 LLC
PO BOX 3410
BOONE NC 28607

SOURCE: BIG GULCH CREEK

TRIBUTARY: GOLDBURG CREEK

QUANTITY: 9.600 CFS

PRIORITY DATE: 07/19/1911

POINT OF
DIVERSION:

T12N R24E S25 SWNE Within CUSTER County

The point of diversion from Big Gulch Creek is more specifically located in
T12N, R24 1/2 E, S25, SWNE.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	05/01 10/31	9.600 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T11N R24E S01 Lot 1 NENE	22.00	T11N R25E S05 SWNW 14.00
	T11N R25E S05 NESW	1.00	T11N R25E S05 SESW 0.50
	T11N R25E S06 SWNE	30.00	T11N R25E S06 SENE 0.10
	T11N R25E S06 SENE	7.50	T11N R25E S06 NENW 5.70
	T11N R25E S06 Lot 3 NENW	11.00	T11N R25E S06 Lot 4 NWNW 23.00
	T11N R25E S06 Lot 5 SWNW	10.00	T11N R25E S06 SENW 26.00
	T11N R25E S06 NESW	3.50	T11N R25E S06 NESE 4.90
	T11N R25E S06 NESE	4.50	T11N R25E S06 NWSE 22.00
	T12N R25E S31 Lot 4 SWSW	24.00	

209.7 ACRES TOTAL

Right Nos. 73-187B and 73-2073 are limited to the irrigation of a combined
total of 209.7 acres in a single irrigation season.

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

01/13/2009

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

RIGHT NUMBER: 73-11953

NAME AND ADDRESS: EAC REV NO. 13 LLC
PO BOX 3410
BOONE NC 28607

SOURCE: BIG GULCH CREEK

TRIBUTARY: GOLDBURG CREEK

QUANTITY: 3.350 CFS
1,208.00 AFY

PRIORITY DATE: 01/28/1921

POINT OF
DIVERSION:

T12N R24E S25 SWNE Within CUSTER County

The point of diversion from Big Gulch Creek is more specifically located in
T12N, R24 1/2 E, S25, SWNE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	05/01 10/31	1,208.00 AFY
IRRIGATION STORAGE	11/01 04/30	1,208.00 AFY
DIVERSION TO STORAGE	11/01 04/30	3.350 CFS

PLACE OF USE: IRRIGATION FROM STORAGE in CUSTER County

T11N R25E S08	NWNE	15.00	T11N R25E S08	SWNE	38.00
T11N R25E S08	SENE	18.00	T11N R25E S08	NENW	15.00
T11N R25E S08	SWNW	8.60	T11N R25E S08	SENW	36.40
T11N R25E S08	NESW	38.00	T11N R25E S08	NWSW	4.10
T11N R25E S08	SESW	9.00	T11N R25E S08	NESE	36.40
T11N R25E S08	NWSE	40.00	T11N R25E S08	SWSE	29.00
T11N R25E S08	SESE	40.00	T11N R25E S09	NWSW	17.00
T11N R25E S09	SWSW	39.80	T11N R25E S09	SESW	10.60
T11N R25E S17	NENE	15.00			

409.9 ACRES TOTAL

irrigation

Use of this right with right nos. 33-112 and 33-113 is limited to the
of a combined total of 409.9 acres in a single irrigation season.

The use of water within T11N R25E SWNW and NWSW is limited to the E-1/2
of those places of use.

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