

COPY

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FEB 24 2009  
DEPARTMENT OF  
WATER RESOURCES

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| FEB 23 2009                                                                             |
| By _____<br>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 Rights: 22-13812 (Split into  
22-13855 and 22-13857)

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

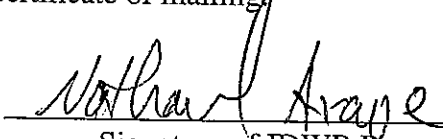
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party TETON VENTURES LLC-BLACKFOOT FARMS LLC
- ☒ 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: 2/20/2009

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on February 20, 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:  
Teton Ventures LLC  
153 N 4663 E  
Rigby ID 83442

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
Blackfoot Farms LLC  
97 N Hwy 33  
Driggs ID 83422

4. One copy to:

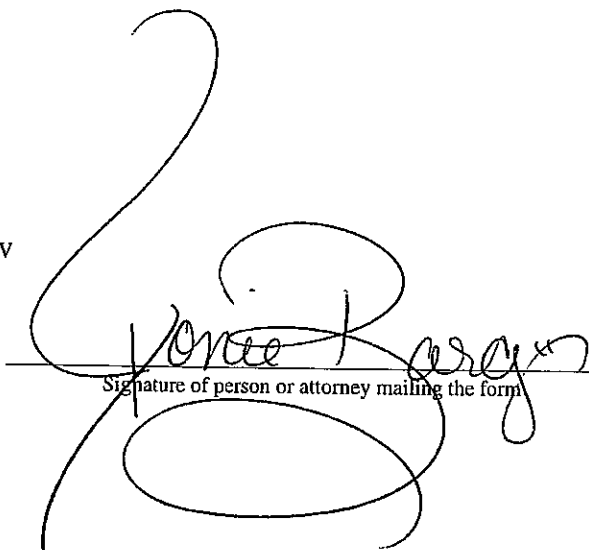
Each party in the subcase, or attorney of record

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

2/20/2009

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS / RIGHTS NOT RECOMMENDED

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W.R. NUMBER

22-13812

CLAIM DISPOSITION REASON

Disallowed

Split into: 22-13855 and 22-13857

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

RIGHT NUMBER: 22-13855

NAME AND ADDRESS: TETON VENTURES LLC  
153 N 4663 E  
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS  
38.400 AFY

PRIORITY DATE: 10/31/1977

POINT OF DIVERSION:

T04N R45E S12 SWNENW Within TETON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/01 11/01          | 0.260 CFS<br>38.40 AFY |

PLACE OF USE: IRRIGATION in TETON County

|               |      |       |               |      |      |
|---------------|------|-------|---------------|------|------|
| T04N R45E S12 | NENW | 20.00 | T04N R45E S12 | SWNW | 5.00 |
| T04N R45E S12 | SENW | 7.80  |               |      |      |

32.8 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Garden Water Company

This right is a split from former right 22-13812 .

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

RIGHT NUMBER: 22-13857

NAME AND ADDRESS: BLACKFOOT FARMS LLC  
97 N HWY 33  
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.900 CFS  
135.600 AFY

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.

PRIORITY DATE: 10/31/1977

POINT OF DIVERSION:

T04N R45E S11 NENENW Within TETON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 11/01          | 0.900 CFS<br>135.60 AFY |

PLACE OF USE: IRRIGATION in TETON County

|               |      |       |               |      |      |
|---------------|------|-------|---------------|------|------|
| T04N R45E S11 | NENW | 38.00 | T04N R45E S11 | NWNW | 7.20 |
|---------------|------|-------|---------------|------|------|

45.2 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

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall accomplish the change authorized by approved transfer 74834 by September 18, 2009.

Failure of the right holder to comply with the conditions of approved transfer 74834 is cause for the Director to rescind approval of the transfer.

Use of this right is combined with water from Garden Water Co.

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.

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