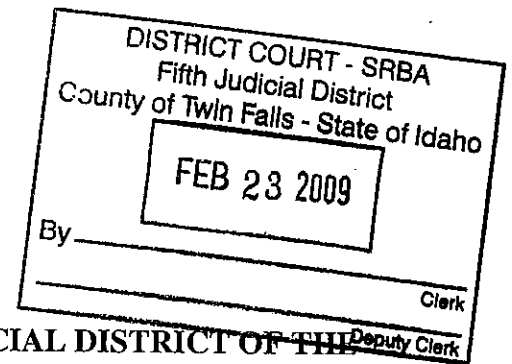


COPY



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

Subcase No. 47-16831

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

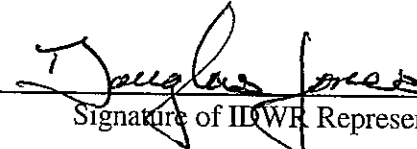
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 2/20/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/23, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

Swager Farms LLLP
1707 E 3800 N
Buhl ID 83316

C E Brackett Cattle Co
PO Box 111
Rogerson ID 83302



Signature of person or attorney mailing the form

02/18/2009

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

RIGHT NUMBER: 47-16831

NAME AND ADDRESS: SWAGER FARMS LLLP
1707 E 3800 N
BUHL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS
72.00 AFY

PRIORITY DATE: 09/26/1967

The priority of the use of water under this approval is subordinated to existing water rights of the protestants and to other existing water rights from ground water upgradient from the Twin Falls South Side Canal Company Highline Canal to the extent it can be shown in accordance with the Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11) that the existing water rights are injured by transferred water right no. 47-16831.

POINT OF
DIVERSION:

T12S R17E S4 SESW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.400 CFS 72.00 AFY

PLACE OF USE: STOCKWATER in TWIN FALLS County

T12S R17E S04	NESW	T12S R17E S04	SESW
T12S R17E S04	NWSE	T12S R17E S04	SWSE

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 approval does not authorize the use of low temperature geothermal water. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions and established standards for construction with the driller.

The use of water authorized under this approval is contingent upon the right holder obtaining any necessary county land use approval and remaining in compliance with applicable county zoning and land use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

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

The acres no longer authorized for irrigation under this transfer are 24 acres located in NESE, Section 35, T10S, R12E, B.M.

The right holder shall annually report the amount of water diverted to the Department.

Upon notice by the Department, the right holder shall install and maintain a totalizing measuring device together with a data logger of a type approved by the Department as a part of the diverting works.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.