

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

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

MAR 13 2009

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: 2-10397 (Split)
	)	into 2-10420 and 2-10421
	)	
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: March 10, 2009

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/12, 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:

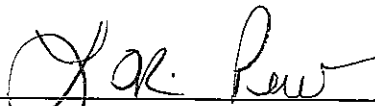
Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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:

Michael L. James
21610 Robinson Rd.
Oreana, ID 83650

Mike and Linda Ihli
643 S. School Ave.
Kuna, ID 83634



Signature of person mailing this document

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

RIGHT NUMBER: 2-10420

NAME AND ADDRESS: MIKE IHLE
643 S SCHOOL AVE
KUNA ID 83634

LINDA IHLE
643 S SCHOOL AVE
KUNA ID 83634

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.740 CFS

Use of this right with Right Nos. 57-7034A, 57-11708, 57-11709 and 57-11710 is limited to a total combined annual diversion volume of 2220 AF.

PRIORITY DATE: 07/30/1969

POINT OF
DIVERSION:

T03S R01E S26 SWSW Lot 7 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 10/31

1.740 CFS

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 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 OWYHEE County

T04S R01E S01	SWNE	12.00	T04S R01E S12	NENE	24.00
T04S R01E S12	SENE	2.00	T04S R01E S12	NESE	4.00
T04S R01E S12	SESE	12.00	T04S R01E S13	NENE	15.00

69 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

The following rights are also diverted through point of diversion described above: 2-2357A, 2-2357B, 2-2173, 2-7046E, and 2-10398.

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

RIGHT NUMBER: 2-10421

NAME AND ADDRESS: MICHAEL L JAMES
21610 ROBINSON RD
OREANA ID 83650

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.260 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/30/1969

POINT OF
DIVERSION:

T04S R02E S8 NENE Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 10/31

0.260 CFS

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 31 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 OWYHEE County

T04S R02E S18	SWNE	40.00	T04S R02E S18	NENW	40.00
T04S R02E S18	SENE	40.00	T04S R02E S18	NWSE	3.00

123 ACRES TOTAL

This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

Rights 2-10399, 2-10421 and 2-10423 when combined shall not exceed the irrigation of 123 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

This right does not grant any right-of-way or easement across the land of another.

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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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.

The following rights are also diverted through point of diversion described above: 2-2261A, 2-2261C, 2-2261D, 2-2259, 2-10399 and 2-10423.