

COPY

DISTRICT COURT-CRIM
TWIN FALLS CO., IDAHO
FILED

2009 MAR 19 PM 3 10

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

Case No. 39576

Subcase No: 37-7288A, 37-20365,
37-20367, 37-20369

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

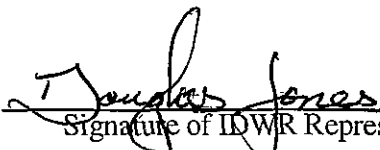
☐ Change in Ownership
☐ Point of Diversion
☐ Period of Use

☐ Split of Water Right
☒ Place of Use
☐ Nature of Use

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: 3/18/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/19, 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 W Fort St MSC 033
Boise ID 83724

William Simon
Shirley Simon
PO Box 364
Fairfield ID 83327



Signature of person or attorney mailing the form

02/25/2009

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

RIGHT NUMBER: 37-7288A

NAME AND ADDRESS: WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.890 CFS
618.00 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 10/01/1973

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.890 CFS 618.00 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S05	SWSW	40.00	T01S R15E S05	SESW	40.00
T01S R15E S08	NENE	8.00	T01S R15E S08	NWNE	8.00
T01S R15E S08	SWNE	40.00	T01S R15E S08	SENE	40.00
T01S R15E S08	NENW	40.00	T01S R15E S08	NWNW	40.00
T01S R15E S08	SWNW	40.00	T01S R15E S08	SENW	40.00
T01S R15E S08	NESE	40.00	T01S R15E S08	NWSE	40.00
T01S R15E S08	SWSE	39.00	T01S R15E S08	SESE	39.00

494 ACRES TOTAL

This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

02/25/2009

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

RIGHT NUMBER: 37-20365
NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327
WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.100 CFS
42.70 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 09/27/1976

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.100 CFS 42.70 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S05	SWSW	40.00	T01S R15E S05	SESW	40.00
T01S R15E S08	NENE	8.00	T01S R15E S08	NWNE	8.00
T01S R15E S08	SWNE	40.00	T01S R15E S08	SENE	40.00
T01S R15E S08	NENW	40.00	T01S R15E S08	NWNW	40.00
T01S R15E S08	SWNW	40.00	T01S R15E S08	SENW	40.00
T01S R15E S08	NESE	40.00	T01S R15E S08	NWSE	40.00
T01S R15E S08	SWSE	39.00	T01S R15E S08	SESE	39.00

494 ACRES TOTAL

This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

02/25/2009

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

RIGHT NUMBER: 37-20367

NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
115.10 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 07/27/1953

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.270 CFS 115.10 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S05	SWSW	40.00	T01S R15E S05	SESW	40.00
T01S R15E S08	NENE	8.00	T01S R15E S08	NWNE	8.00
T01S R15E S08	SWNE	40.00	T01S R15E S08	SENE	40.00
T01S R15E S08	NENW	40.00	T01S R15E S08	NWNW	40.00
T01S R15E S08	SWNW	40.00	T01S R15E S08	SENW	40.00
T01S R15E S08	NESE	40.00	T01S R15E S08	NWSE	40.00
T01S R15E S08	SWSE	39.00	T01S R15E S08	SESE	39.00

494 ACRES TOTAL

This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

02/25/2009

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

RIGHT NUMBER: 37-20369

NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
12.00 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 10/01/1973

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.060 CFS 12.00 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R15E S05	SWSW	40.00	T01S R15E S05	SESW	40.00
T01S R15E S08	NENE	8.00	T01S R15E S08	NWNE	8.00
T01S R15E S08	SWNE	40.00	T01S R15E S08	SENE	40.00
T01S R15E S08	NENW	40.00	T01S R15E S08	NWNW	40.00
T01S R15E S08	SWNW	40.00	T01S R15E S08	SENW	40.00
T01S R15E S08	NESE	40.00	T01S R15E S08	NWSE	40.00
T01S R15E S08	SWSE	39.00	T01S R15E S08	SESE	39.00

494 ACRES TOTAL

This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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.