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APR 20 2009

DEPARTMENT OF  
WATER RESOURCES

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

APR 17 2009

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

Case No. 39576

Water Rights: 2-10348

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following administrative proceeding:

☒ Mitigation

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

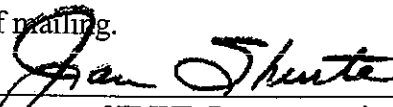
☐ Other

☐ IC § 42-219 license

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 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: April 16, 2009

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on April 16, 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    | <input type="checkbox"/> overnight mail          |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 2707                  | <input type="checkbox"/> hand-delivered          |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/> facsimile               |

### 2. Copies to:

|                                 |                                                  |
|---------------------------------|--------------------------------------------------|
| Clive Strong                    | <input type="checkbox"/> overnight mail          |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> regular mail |
| P.O. Box 44449                  | <input type="checkbox"/> hand-delivered          |
| Boise, ID 83711-4449            | <input type="checkbox"/> facsimile               |

|                                    |                                                  |
|------------------------------------|--------------------------------------------------|
| United States Dept of Justice      | <input type="checkbox"/> overnight mail          |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> regular mail |
| 550 West Fort Street MSC 033       | <input type="checkbox"/> hand-delivered          |
| Boise ID 83724                     | <input type="checkbox"/> facsimile               |

### 3. Copies to all parties to the subcase:

|                     |                                                  |
|---------------------|--------------------------------------------------|
| Phillip M. Warner   | <input type="checkbox"/> overnight mail          |
| Susan H. Warner     | <input checked="" type="checkbox"/> regular mail |
| 7548 Riverfront Dr. | <input type="checkbox"/> hand-delivered          |
| Marsing ID 83639    | <input type="checkbox"/> facsimile               |

|                                         |
|-----------------------------------------|
| <input type="checkbox"/> overnight mail |
| <input type="checkbox"/> regular mail   |
| <input type="checkbox"/> hand-delivered |
| <input type="checkbox"/> facsimile      |



Signature of person mailing this document

COPY

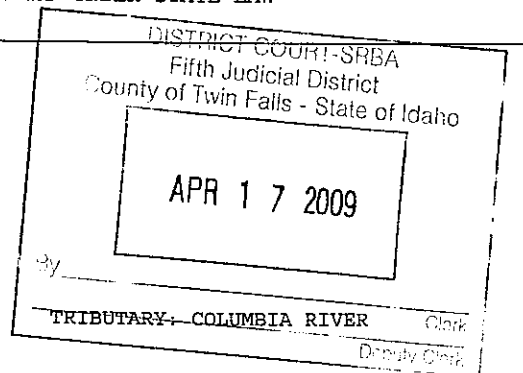
IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-10348  
NAME AND ADDRESS: PHILLIP M WARNER  
7548 RIVERFRONT DR  
MARSING ID 83639

SUSAN H WARNER  
7548 RIVERFRONT DR  
MARSING ID 83639

SOURCE: SNAKE RIVER

QUANTITY: 0.020 CFS  
4.890 AFY



This right mitigates for the depletion of water resulting from the diversion and use of water under Right 57-11714 pursuant to the approved mitigation plan for Right 57-11714.

PRIORITY DATE: 01/19/1949

POINT OF DIVERSION:

T02N R04W S23 NESESW Lot 4 Within OWYHEE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| MITIGATION     | 03/15 11/15   | 0.020 CFS |
| IRRIGATION     |               | 4.89 AFY  |

~~The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.~~

PLACE OF USE: MITIGATION in OWYHEE County

~~IRRIGATION in OWYHEE County~~

T02N R04W S23 Lot 4 SESW 1.50

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 is a split from former right 2-10331.

Property is also known as Lot 3, Block 1, Hidden Valley Estates.

~~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.~~