

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 MAY 21 AM 12 43

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: 37-20269 (Split)
) 37-22370, 37-22371
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

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

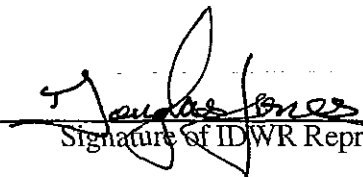
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐	Change in Ownership	☒	Split of Water Right
☒	Point of Diversion	☒	Place of Use
☐	Period 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: 5/18/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-21, 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

Matt McLam
Deborah McLam
PO Box 253
Fairfield ID 83327



Signature of person or attorney mailing the form

04/23/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-20269	MATT A MC LAM PO BOX 253 FAIRFIELD ID 83327	Disallowed	Recommended as 37-22370 and 37-22371
	DEBORAH L MC LAM PO BOX 253 FAIRFIELD ID 83327		

04/23/2009

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

RIGHT NUMBER: 37-22370

NAME AND ADDRESS: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
3.80 AFY

The rights listed below are limited to a total combined diversion rate of 0.03 cfs and to a total combined annual diversion volume of 7.5 AF. Combined Right Nos.: 37-22366 and 37-22370.

PRIORITY DATE: 11/29/1978

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T01S R14E S19 SENESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.020 CFS 3.80 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R14E S19 NESE 5.00

5 ACRES TOTAL

This right is limited to the irrigation of 2.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 5 acres in a single irrigation season. Combined Right Nos.: 37-22366 and 37-22370.

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.

This right is based upon an enlargement of Right No. 37-22366 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 2.5 acres within the place of use described for this right.

04/23/2009

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

RIGHT NUMBER: 37-22371

NAME AND ADDRESS: MATT A MC LAM
PO BOX 253
FAIRFIELD ID 83327

DEBORAH L MC LAM
PO BOX 253
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

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

QUANTITY: 0.930 CFS
234.20 AFY

Rights 37-22367 and 37-22371 when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 466.5 af at the field headgate.

Rights 37-8890 and 37-22371 when combined shall not exceed a total diversion rate of 1.78 cfs, a total annual maximum diversion volume of 544.3 af at the field headgate.

Rights 37-8890, 37-22367, and 37-22371 when combined shall not exceed a total diversion rate of 3.53 cfs, a total annual maximum diversion volume of 1010.8 af at the field headgate.

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: 11/29/1978

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T01S R14E S21 SWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.930 CFS 234.20 AFY

PLACE OF USE:

IRRIGATION in CAMAS County

T01S R14E S21	NENE	15.00	T01S R14E S21	NWNE	38.00
T01S R14E S21	SWNE	40.00	T01S R14E S21	SENE	38.00
T01S R14E S21	NESW	40.00	T01S R14E S21	NWSW	38.00
T01S R14E S21	SWSW	15.00	T01S R14E S21	SESW	38.00
T01S R14E S21	NESE	38.00	T01S R14E S21	NWSE	40.00
T01S R14E S21	SWSE	38.00	T01S R14E S21	SESE	15.00

393 ACRES TOTAL

This right is limited to the irrigation of 155.5 acres within the place of use described above in a single irrigation season.

Right Nos. 37-22367 and 37-22371 are limited to the irrigation of a combined total of 311 acres in a single irrigation season.

Right Nos. 37-8890 and 37-22371 are limited to the irrigation of a combined total of 155.5 acres in a single irrigation season.

Right Nos. 37-8890, 37-22367 and 37-22371 are limited to the irrigation of a combined total of 311 acres in a single irrigation season.

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.

This right is based upon an enlargement of Right No. 37-22367 pursuant to Section 42-1426, Idaho Code.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

After specific notification by the Department, the right holder shall record the quantity of water diverted 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.

This right is for an enlargement of 155.5 acres within the place of use described for this right.