

COPY

RECEIVED
JUN 22 2009
DEPARTMENT OF
WATER RESOURCES

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

2009 JUN 19 AM 10 15

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: 73-2157 (Split)
into 73-12154 and 73-12155

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

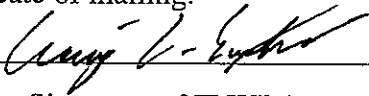
☐ Change in ownership

☐ Other:

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: 6-16-09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 18th, 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
Office 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:

Caryl L. and Glenn A. Elzinga
19 Moen Ln.
May, ID 83253-2000

USDI BLM
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657



Signature of person mailing this document

06/15/2009

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>
73-2157	CARYL L ELZINGA 19 MOEN LN MAY ID 83253-2000 GLENN A ELZINGA 19 MOEN LN MAY ID 83253-2000	Disallowed	Recommended as Right No 73-12154 & 73-12155

06/16/2009

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

RIGHT NUMBER: 73-12154

NAME AND ADDRESS: CARYL L ELZINGA
19 MOEN LN
MAY ID 83253-2000

GLENN A ELZINGA
19 MOEN LN
MAY ID 83253-2000

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.730 CFS
129.80 AFY

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/10/1966

POINT OF
DIVERSION:

T15N R21E S21 SWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.730 CFS 129.80 AFY

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S21	NESW	33.00	T15N R21E S21	SESW	33.00
T15N R21E S21	NESE	22.00	T15N R21E S21	NWSE	36.00
T15N R21E S21	SWSE	35.00	T15N R21E S21	SESE	39.90
T15N R21E S22	SWSW	10.00	T15N R21E S27	NENW	1.20
T15N R21E S27	NWNW	30.00	T15N R21E S28	NENE	33.00

273.1 ACRES TOTAL

This right is limited to the irrigation of 36.4 acres within the place of use described above in a single irrigation season.

Rights 73-12150, 73-12152, and 73-12154 when combined shall not exceed the irrigation of 273.1 acres.

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

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

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.

The right holder shall accomplish the change authorized by this transfer by June 2, 2009.

06/16/2009

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

RIGHT NUMBER: 73-12155

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.010 CFS
2.10 AFY

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/10/1966

POINT OF
DIVERSION:

T15N R21E S21 SWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.010 CFS
2.10 AFY

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S28 NWNE 4.50

4.5 ACRES TOTAL

Rights 73-12151, 73-12153, and 73-12155 when combined shall not exceed the irrigation of 4.5 acres.

This right is limited to the irrigation of 0.6 acres within the place of use described above 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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.

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 by June 2, 2009.

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