

COPY

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

2009 JUL 28 PM 1 36

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. 37-158C, 37-274, 37-276B,
) 37-892A, 37-894B, 37-4269

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

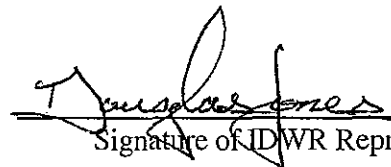
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 7/27/09



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7-28, 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

Albert Barker
Barker Rosholt & Simpson
PO Box 2139
Boise ID 83301

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Scott Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise ID 83701

Big Wood Golf Course LLC
PO Box 87
Sun Valley ID 83353

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330

David Sellgren
c/o Elizabeth Bosted-Sellgren
PO Box 85
Paul ID 83347

Fritz Haemmerle
Haemmerle & Haemmerle PLLC
PO Box 1800
Hailey ID 83333



Signature of person or attorney mailing the form

06/30/2009

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

RIGHT NUMBER: 37-158C

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 07/01/1881

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

This right is limited to the irrigation of 24 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 - Decreed

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Water from all rights is comingled and distributed through one system to sprinkler irrigate golf course & common area within Big Wood Subd.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

06/30/2009

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

RIGHT NUMBER: 37-274

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/01/1882

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.800 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE	1.00	T04N R17E S01 SESE 23.00
	T04N R17E S12 NENE	18.00	T04N R17E S12 SENE 14.00
	T04N R17E S12 NESE	12.00	T04N R17E S12 SESE 9.20
	T04N R18E S06 Lot 7 SWSW	0.90	T04N R18E S07 Lot 3 NWSW 4.00
	T04N R18E S07 Lot 4 SWSW	11.00	

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

06/30/2009

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

RIGHT NUMBER: 37-276B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 3.680 CFS

PRIORITY DATE: 06/01/1885

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	3.680 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

06/30/2009

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>
37-892A	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY ID 83353	Disallowed	Recommended as Right No. 37-894B.

06/30/2009

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

RIGHT NUMBER: 37-894B

NAME AND ADDRESS: BIG WOOD GOLF COURSE LLC
PO BOX 87
SUN VALLEY ID 83353

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.184 CFS

PRIORITY DATE: 09/01/1920

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.

POINT OF
DIVERSION:

T04N R17E S1 NENWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	3.184 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S01 NESE 1.00	T04N R17E S01 SESE	23.00
	T04N R17E S12 NENE 18.00	T04N R17E S12 SENE	14.00
	T04N R17E S12 NESE 12.00	T04N R17E S12 SESE	9.20
	T04N R18E S06 Lot 7 SWSW 0.90	T04N R18E S07 Lot 3 NWSW	4.00
	T04N R18E S07 Lot 4 SWSW 11.00		

93.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 93.1 acres in a single irrigation season. Combined Right Nos.: 37-274, 37-276B, 37-158C and 37-894B.

This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.

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

Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

06/30/2009

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>
37-4269	BIG WOOD GOLF COURSE LLC PO BOX 87 SUN VALLEY ID 83353	Disallowed	No lawful appropriation shown.