

COPY

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

2009 JUL 28 PM 1 35

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	)	Subcase No. 45-2556 (Split)
	)	45-14239 and 45-14240
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

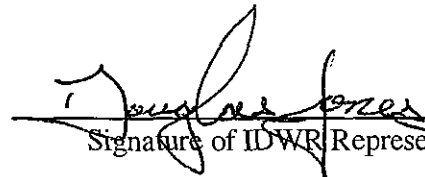
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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

Hepworth Family Ltd Partnership
668 S 800 W
Burley ID 83318

Wayne C Andersen LLC
911 S 700 W
Burley ID 83318

William Parsons
Parsons Smith & Stone LLP
PO Box 910
Burley ID 83318



Signature of person or attorney mailing the form

06/29/2009

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>
45-2556	HEPWORTH FAMILY LTD PARTNERSHIP 668 S 800 W BURLEY ID 83318	Disallowed	Recommended as 45-14239 and 45-14240.

06/29/2009

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

RIGHT NUMBER: 45-14239

NAME AND ADDRESS: HEPWORTH FAMILY LTD PARTNERSHIP
668 S 800 W
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.270 CFS
637.70 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 14.68 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 4600.3 AF. COMBINED RIGHT NOS.: 45-14235,
45-14237, 45-14239, 45-14241, 45-14243 & 45-14245.

PRIORITY DATE: 09/06/1957

POINT OF
DIVERSION:

T12S R22E S26 SWSWNW Within CASSIA County
T12S R22E S27 SWSWNW Within CASSIA County
T12S R22E S34 SWSWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	03/15	11/15	
IRRIGATION			2.270 CFS 637.70 AFY

PLACE OF USE:

IRRIGATION in CASSIA County

T12S R22E S22	NESE	39.00	T12S R22E S22	NWSE	39.00
T12S R22E S22	SWSE	39.00	T12S R22E S22	SESE	39.00
T12S R22E S23	NENE	40.00	T12S R22E S23	NWNE	40.00
T12S R22E S23	SWNE	40.00	T12S R22E S23	SENE	40.00
T12S R22E S23	NESW	39.00	T12S R22E S23	NWSW	39.00
T12S R22E S23	SWSW	39.00	T12S R22E S23	SESW	39.00
T12S R22E S23	NESE	39.00	T12S R22E S23	NWSE	39.00
T12S R22E S23	SWSE	39.00	T12S R22E S23	SESE	39.00
T12S R22E S26	NENE	40.00	T12S R22E S26	NWNE	40.00
T12S R22E S26	SWNE	40.00	T12S R22E S26	SENE	40.00
T12S R22E S26	NENW	40.00	T12S R22E S26	NWNW	39.00
T12S R22E S26	SWNW	39.00	T12S R22E S26	SENW	40.00
T12S R22E S26	NESW	40.00	T12S R22E S26	NWSW	39.00
T12S R22E S26	SWSW	39.00	T12S R22E S26	SESW	40.00
T12S R22E S26	NESE	39.00	T12S R22E S26	NWSE	40.00
T12S R22E S26	SWSE	40.00	T12S R22E S26	SESE	39.00
T12S R22E S27	NENE	39.00	T12S R22E S27	NWNE	39.00
T12S R22E S27	SWNE	40.00	T12S R22E S27	SENE	40.00
T12S R22E S27	NENW	39.00	T12S R22E S27	NWNW	38.00
T12S R22E S27	SWNW	38.00	T12S R22E S27	SENW	40.00
T12S R22E S35	NENE	36.00	T12S R22E S35	NWNE	40.00
T12S R22E S35	SWNE	40.00	T12S R22E S35	SENE	38.00

T12S R22E S35	NENW	40.00	T12S R22E S35	NWNW	39.00
T12S R22E S35	SWNW	39.00	T12S R22E S35	SENW	40.00

1887 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1887 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-14235, 45-14237, 45-14239, 45-14241, 45-14243 & 45-14245.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 159.4 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

This right is a split from former right 45-2556 .

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

RIGHT NO. 45-14245 IS AN EXPANSION OF THE FOLLOWING RIGHTS PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 45-14235, 45-14237, 45-14239, 45-14241 & 45-14243.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

06/29/2009

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

RIGHT NUMBER: 45-14240

NAME AND ADDRESS: WAYNE C ANDERSEN LLC
911 S 700 W
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.130 CFS
318.30 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.33 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2295.7 AF. COMBINED RIGHT NOS.: 45-14236,
45-14238, 45-14240, 45-14242, 45-14244 & 45-14246.

PRIORITY DATE: 09/06/1957

POINT OF
DIVERSION:

T12S R22E S20 SWSWSE Within CASSIA County
T12S R22E S21 SWSWNW Within CASSIA County
T12S R22E S21 NWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.130 CFS 318.30 AFY

PLACE OF USE: IRRIGATION in CASSIA County

T12S R22E S20	NENE	40.00	T12S R22E S20	NWNE	40.00
T12S R22E S20	SWNE	40.00	T12S R22E S20	SENE	40.00
T12S R22E S20	NESE	40.00	T12S R22E S20	NWSE	40.00
T12S R22E S20	SWSE	38.00	T12S R22E S20	SESE	39.00
T12S R22E S21	NENE	40.00	T12S R22E S21	NWNE	40.00
T12S R22E S21	SWNE	40.00	T12S R22E S21	SENE	39.00
T12S R22E S21	NENW	40.00	T12S R22E S21	NWNW	40.00
T12S R22E S21	SWNW	40.00	T12S R22E S21	SENW	40.00
T12S R22E S21	NESW	40.00	T12S R22E S21	NWSW	40.00
T12S R22E S21	SWSW	2.50	T12S R22E S21	NESE	29.00
T12S R22E S21	NWSE	40.00	T12S R22E S22	NESW	39.00
T12S R22E S22	NWSW	37.00	T12S R22E S22	SWSW	39.00
T12S R22E S22	SESW	39.00			

941.5 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79.6 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 941.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-14236, 45-14238, 45-14240, 45-14242,
45-14244 & 45-14246.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

This right is a split from former right 45-2556.

RIGHT NO. 45-14246 IS AN EXPANSION OF THE FOLLOWING RIGHTS PURSUANT TO SECTION 42-1416B, IDAHO CODE.: 45-14236, 45-14238, 45-14240, 45-14242 & 45-14244.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.