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DEPARTMENT OF
WATER RESOURCES

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

COPY

JUL 31 2009

By _____

Clerk

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: 63-7354 (Split)

63-31417, 63-31418

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ 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

XX IC § 42-219 license - Amended

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: July 30, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 30, 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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Office of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

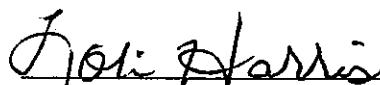
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Joseph Roberts	☐ overnight mail
2724 S Goshen Way	☒ regular mail
Boise ID 83709-8506	☐ hand-delivered
	☐ facsimile

Basin and Range Resource Company LLC	☐ overnight mail
3480 G S Richards Blvd #101	☒ regular mail
Carson City NV 89703	☐ hand-delivered
	☐ facsimile

Dana Hofstetter
Hofstetter Law Office LLC
608 W Franklin St
Boise ID 83702



Signature of person mailing this document

COPY

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

RIGHT NUMBER: 63-7354 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-31417 & 63-31418 DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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WATER RESOURCES

By _____

Clerk

Deputy Clerk

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

RIGHT NUMBER: 63-31417 DISALLOWED

NAME AND ADDRESS: JOSEPH W ROBERTS
2724 S GOSHEN WAY
BOISE ID 83709-8506

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DEPARTMENT OF
WATER RESOURCES

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

Recommended as Right No. 63-31418.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Recommended as Right No. 63-31418: This is included for a claim that is proposed to be disallowed because the right claimed is recommended pursuant to another right. The condition indicates the water right number of the other right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the other right, then the other right is recommended in another claimants name.

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 31 2009	
By _____	Clerk
_____	Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31418
NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703
SOURCE: GROUND WATER
QUANTITY: 2.340 CFS
526.500 AFY

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

JUL 31 2009

TRIBUTARY: _____
Clerk
Deputy Clerk

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/28/1974

POINT OF DIVERSION:

T06N R04W S34 SENW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.340 CFS 526.50 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R04W S34	SWNE	24.00	T06N R04W S34	NENW	14.50
T06N R04W S34	SENE	12.50	T06N R04W S34	NESE	25.00
T06N R04W S34	NWSE	23.00	T06N R04W S34	SESE	18.00

117 ACRES TOTAL

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 subject to all prior water rights and may be forfeited by five years of non-use.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

This right is a split from former right 63-7354.

Modifications to or variance from this license must be made with the limits of Section 42-222, Idaho Code, or the applicable Idaho law.