



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

8/19/2009

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
PO BOX 2707
TWIN FALLS ID 83303-2707

RE: 75-14482 and 75-14484

Dear Diana:

Yesterday Beverly Colvin called me because she had received the special master's report and recommendation for the two rights listed above. She was concerned that her name did not appear on the recommendation. After looking into the matter I discovered that the NCAP filed with the court on April 8, 2009 was in error. The NCAP was filed after the approval of transfer 75324. However the NCAP did not fully reflect the changes made to these rights via transfer 75324. Please accept the attached amended NCAP, which fully describes the elements of these water rights consistent with the transfer. Feel free to contact me at 525-7161 if you have any questions or concerns regarding this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Michael Holliday', written over a horizontal line.

Michael Holliday
Water Resource Agent, Sr.

Enclosure

Cc: Greg and Beverly Colvin
Chief Natural Resources Division Office of the Attorney General
United States Department of Justice
Idaho Department of Water Resources

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 Rights: 75-14482 & 75-14484

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☐ I.C. § 42-222 transfer 75324

☒ point of diversion ☐ place of use

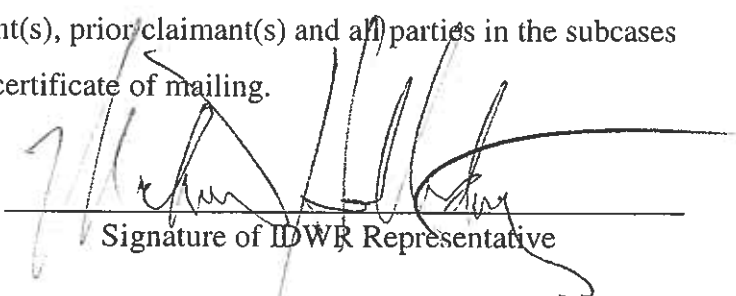
☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

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: 8/19/2009



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 21, 2009, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Greg Colvin
PO Box 4
Ellis ID 83235

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

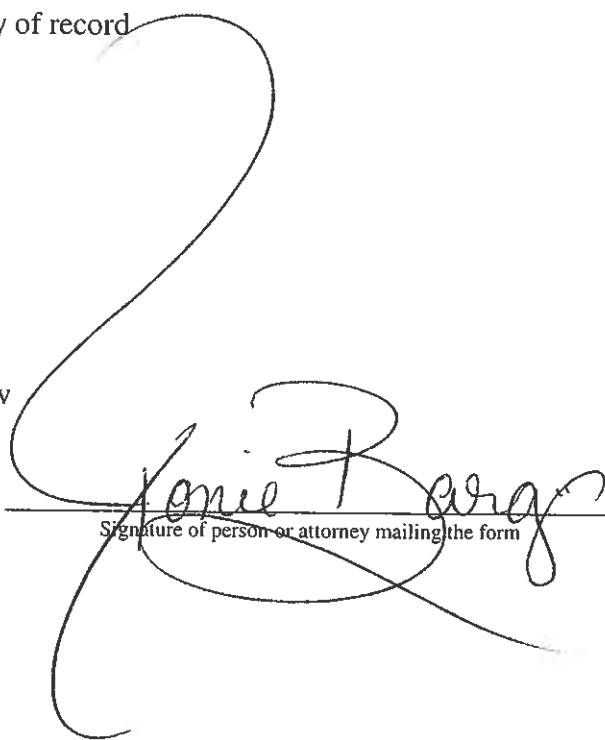
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

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


Signature of person or attorney mailing the form

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 75-2179.

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

Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

Failure of the right holder to comply with the conditions of transfer 75324 is cause for the Director to rescind approval of the transfer.

Right No. 75-14484 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The right holder shall accomplish the change authorized by transfer 75324 before February 27, 2010.

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

RIGHT NUMBER: 75-14484

NAME AND ADDRESS: BEVERLY COLVIN
PO BOX 4
ELLIS ID 83235

GREG COLVIN
PO BOX 4
ELLIS ID 83235

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS
3.80 AFY

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.

Right Nos. 75-14482 and 75-14484 are limited to a total combined diversion rate of 0.26 cfs and to a total combined annual diversion volume of 50.4 AF at the field headgate.

PRIORITY DATE: 05/10/1979

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:

T16N R21E S18 SESW Lot 12 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS 3.80 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T16N R21E S18 Lot 12 SESW	4.60	T16N R21E S19 Lot 1 NENW	9.80
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14.4 ACRES TOTAL

Right Nos. 75-14482 and 75-14484 are limited to the irrigation of a combined total of 14.4 acres 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.

This right is based upon an enlargement of Right No. 75-14482 pursuant to Section 42-1426, Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

Failure of the right holder to comply with the conditions of transfer 75324 is cause for the Director to rescind approval of the transfer.

This right is for an enlargement of 1.1 acres within the place of use described for this right.

The right holder shall accomplish the change authorized by transfer 75324 before February 27, 2010.

This right is a split from former right 75-10708.