

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

AUG 24 2009

By _____ Clerk
Deputy Clerk

RECEIVED

AUG 25 2009

DEPARTMENT OF
WATER RESOURCES

COPY

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: 22-7349

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

[X] License-June 9, 2009

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.

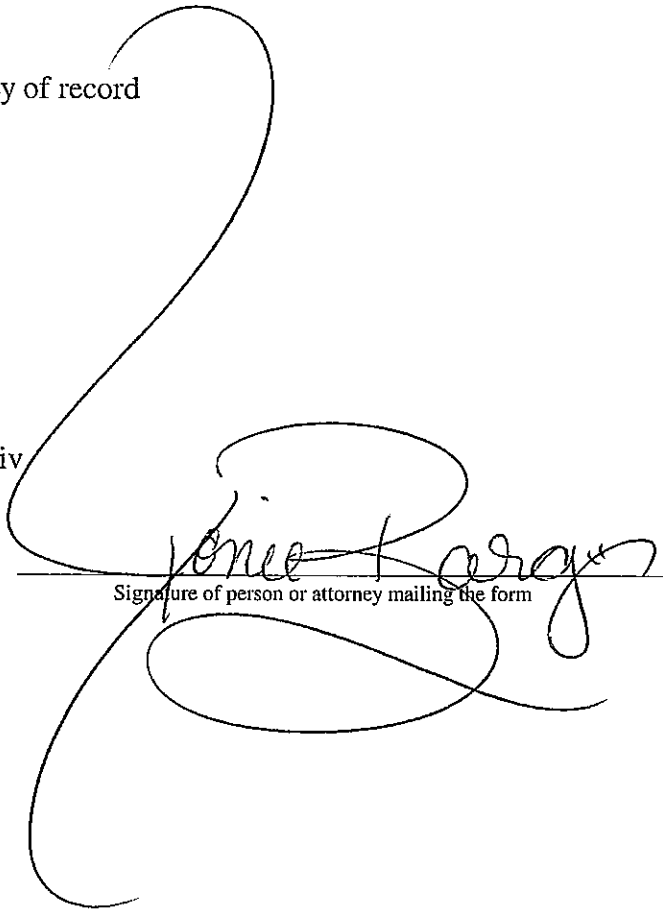
DATED: 8/17/2009

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 21, 2008 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:
Hibbert Farms Inc
1108 N 700 W
Driggs ID 83422
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

RIGHT NUMBER: 22-7349

NAME AND ADDRESS: HIBBERT FARMS INC
1108 N 700 W
DRIGGS ID 83422

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 1.290 CFS
512.00 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.

PRIORITY DATE: 03/12/1981

POINT OF
DIVERSION:

T06N R44E S3 NWNE Lot 2 Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.290 CFS 512.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S02 Lot 1 NENE	38.00	T06N R44E S02 Lot 2 NWNE	38.00
T06N R44E S02 SWNE	39.00	T06N R44E S02 SENE	34.00
T06N R44E S02 Lot 3 NENW	38.00	T06N R44E S02 Lot 4 NWNW	38.00
T06N R44E S02 SWNW	39.00	T06N R44E S02 SENW	39.00
T06N R44E S02 NESW	40.00	T06N R44E S02 NWSW	39.00
T06N R44E S02 NESE	36.00	T06N R44E S02 NWSE	39.00
T07N R44E S33 SWNE	3.00	T07N R44E S33 SENE	20.00
T07N R44E S33 NESE	40.00	T07N R44E S33 NWSE	6.00
T07N R44E S33 SESE	20.00	T07N R44E S34 SWNE	16.00
T07N R44E S34 SENE	19.00	T07N R44E S34 SWNW	20.00
T07N R44E S34 SENW	19.00	T07N R44E S34 NESW	39.00
T07N R44E S34 NWSW	40.00	T07N R44E S34 SWSW	15.00
T07N R44E S34 SESW	13.00	T07N R44E S34 NESE	39.00
T07N R44E S34 NWSE	35.00	T07N R44E S34 SWSE	19.00
T07N R44E S34 SESE	37.00		

857 ACRES TOTAL

Right Nos. 22-7373 and 22-7349 are limited to the irrigation of a combined total of 861 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Fremont-Madison Irrigation District.

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. 1.

The right holder shall maintain a measuring device of a type approved by the Department as part of the diverting works.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07349

Priority: March 12, 1981

Maximum Diversion Rate: 1.29 CFS
Maximum Diversion Volume: 512 AF

It is hereby certified that HIBBERT FARMS INC
1108 N 700 W
DRIGGS ID 83422 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 12, 1981; and has
submitted Proof of Beneficial Use on May 16, 1985. An examination indicates that the works have a
diversion capacity of 1.29 cfs of water from:

SOURCE

TETON RIVER

Tributary: HENRYS FORK

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/15 to 10/31

DIVERSION RATE

1.29 CFS

**ANNUAL
DIVERSION VOLUME**

512 AF

LOCATION OF POINT(S) OF DIVERSION:

TETON RIVER

L2 (NW¼NE¼) Sec. 3, Twp 06N, Rge 44E, B.M.

TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 2	38.0 L1	38.0 L2	39.0	34.0	38.0	38.0 L3	39.0 L4	39.0	40.0	39.0			36.0	39.0			457.0
07N 44E 33			3.0	20.0									40.0	6.0		20.0	89.0
07N 44E 34			16.0	19.0			20.0	19.0	39.0	40.0	15.0	13.0	39.0	35.0	19.0	37.0	311.0

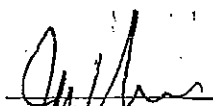
Total Acres: 857

CONDITIONS OF APPROVAL

1. The right holder shall maintain a measuring device of a type approved by the Department as part of the diverting works.
2. 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.
3. Rights 22-7373 and 22-7349 when combined shall not exceed the irrigation of 861 acres.
4. Use of this right is combined with water from Fremont-Madison Irrigation District.
5. 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. 1.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9th day of June, 2009.

for 
DAVID R. TUTHILL, JR.
Director