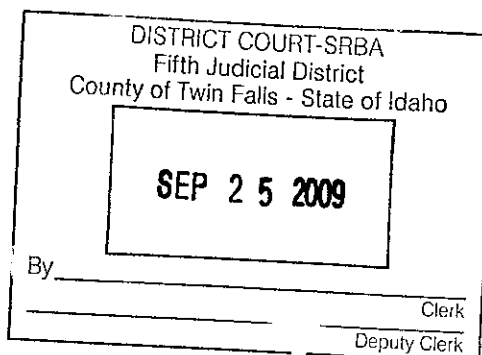


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SEP 28 2009

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

Case No. 39576

Water Rights: 63-33146

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

☐ Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right XX Change in ownership

XX Other - Conditions & Remarks

☐ IC § 42-219 license

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: September 24, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 24, 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
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

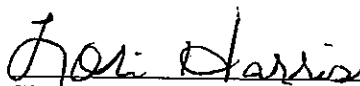
United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Troost Family Living Trust	☐	overnight mail
Greg Troost	☒	regular mail
30540 Sabin Rd	☐	hand-delivered
Parma ID 83660	☐	facsimile

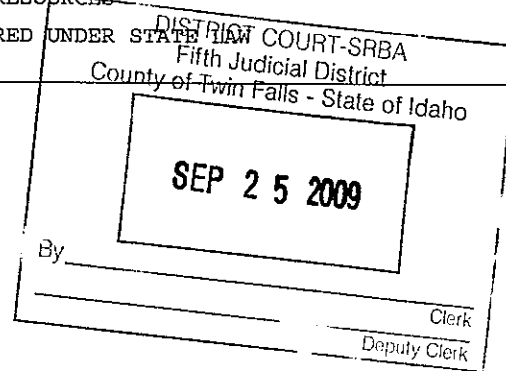
John R Lindley	☐	overnight mail
c/o Jon C Gould	☒	regular mail
Ringert Clark Chartered	☐	hand-delivered
PO Box 2773	☐	facsimile
Boise ID 83701		

L W & Barbara Ragains		
c/o Dana Hofstetter	☒	regular mail
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: 63-33146
NAME AND ADDRESS: TROOST FAMILY LIVING TRUST
GREG TROOST
30540 SABIN RD
PARMA ID 83660
JOHN R LINDLEY
29453 GOTSCH RD
PARMA ID-83660

SOURCE: GROUND WATER
QUANTITY: 0.360 CFS
108.000 AFY

TRIBUTARY:

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/18/1977

POINT OF DIVERSION:

T05N R05W S1 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.360 CFS 108.00 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 CANYON County

T05N R05W S01 Lot 2 NWNE	23.00	T05N R05W S01 Lot 3 NENW	30.00
T05N R05W S01 SWNE	18.00	T05N R05W S01 SENE	6.00

53 ACRES TOTAL ~~24 ACRES TOTAL~~

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:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

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

Right Nos. 63-9110, 63-33041 and 63-33145 are also diverted through point of diversion described above.

This right is a split from former right 63-8700 and former right 63-33040.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

~~Use of this right is combined with water from Black Canyon Irrigation District.~~