

217
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 OCT 23 AM 10 46

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: 2-2061 & 2-2086

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
☒ Substitution of Party
☐ IC § 42-222

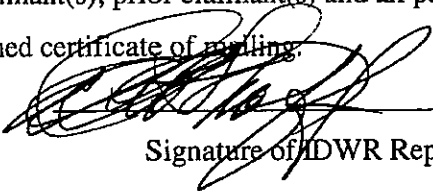
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |

☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: Oct 21, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 22, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

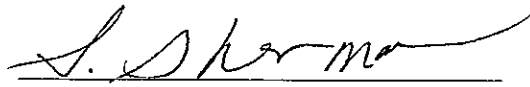
United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Snake River Valley II, LLC
4508 Pacer Way
Flower Mound, TX 75028

DBSI Cobra 370, LLC
1550 S. Tech Ln.
Meridian, ID 83642

Marc A. Myrin
Thomas & Knight, LLP
One Arts Plaza
1722 Routh St., Ste. 1500
Dallas, TX 75201


Signature of person mailing this document

10/21/2009

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

RIGHT NUMBER: 2-2061

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND TX 75028

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.350 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined diversion rate of 3.28 cfs.

PRIORITY DATE: 01/20/1956

POINT OF
DIVERSION:

T01N R03W S36 SWNW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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IRRIGATION	04/01 10/31	1.350 CFS
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The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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 OWYHEE County

T01N R03W S36 Lot 4 NWSW	21.00	T01N R03W S36 Lot 3 SESW	37.00
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T01N R03W S36 Lot 2 SWSE	21.00
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79 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 187 acres in a single irrigation season. Combined Right Nos.: 02-2061, 02-2086, and 57-276.

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.

The following rights are also diverted through point of diversion described above: 02-2061 and 02-2086.

10/21/2009

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

RIGHT NUMBER: 2-2086

NAME AND ADDRESS: SNAKE RIVER VALLEY II LLC
4508 PACER WY
FLOWER MOUND TX 75028

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.930 CFS

Right Nos. 02-2061 and 02-2086 are limited to a total combined diversion rate of 3.28 cfs.

PRIORITY DATE: 01/23/1956

POINT OF
DIVERSION:

T01N R03W S36 NWNWSW Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.930 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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 OWYHEE County

T01N R03W S36 Lot 4 NWSW 21.00 T01N R03W S36 Lot 3 SESW 47.00

T01N R03W S36 Lot 2 SWSE 40.00 T01N R03W S36 Lot 1 SESE 13.00

T01S R03W S01 Lot 2 NWNE 33.00 T01S R03W S01 Lot 3 NENW 10.00

164 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 187 acres in a single irrigation season. Combined Right Nos.: 02-2061, 02-2086, and 57-276.

This right authorizes the irrigation of 164 total acres.

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

Use of this right is combined with water from West Reynolds Irrigation District.

The following rights are also diverted through point of diversion described above: 02-2061 and 02-2086.