

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 DEC 11 AM 10 29

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: 73-12035

NOTICE OF ADMINISTRATIVE
PROCEEDING

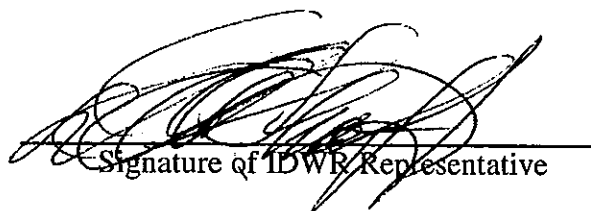
IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ Amended Transfer Pending

IDWR projects the Administrative Proceeding shall be completed not later than: December 9, 2010

Dated December 9, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 14, 2010, 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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Dick H Coleman
33 Pahsimeroi Rd
Ellis ID 83235

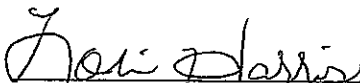
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Starr W Coleman
9603 W Wright St
Boise ID 83709

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Robert Chewning
139 Pahsimeroi Rd
Ellis ID 83235

☒ regular mail



Signature of person mailing this document

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

RIGHT NUMBER: 73-12035

NAME AND ADDRESS: DICK H COLEMAN
33 PAHSIMEROI RD
ELLIS ID 83235

STARR W COLEMAN
9603 W WRIGHT ST
BOISE ID 83709

SOURCE: PAHSIMEROI RIVER
SPRINGS--

TRIBUTARY: SALMON RIVER
PAHSIMEROI RIVER

Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Springs at the original point of diversion in the NESENE, S36, T16N, R20E, and to the amount of water that actually reaches the Pahsimeroi River.

QUANTITY: 0.390 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION:

T16N R20E S25 SENW Within LEMHI County

~~T16N R20E S36 NESENE 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	0.360 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R20E S25 SENW 13.00 T16N R20E S25 NWSE 4.60

STOCKWATER in LEMHI County

T16N R20E S25 36 SENW 13.00 T16N R20E S25 36 NWSE 4.60

17.6 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from Springs at the original point(s) of diversion, at the mouth of Springs and at the point of diversion from the Pahsimeroi River.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The right holder shall accomplish the change authorized by this transfer by December 24, 2010.

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

The following rights are diverted through point(s) of diversion described above: 73-4104, 73-12035.

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. 73.