

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

JAN 22 2010

By _____

Clerk
Deputy Clerk

**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: 73-12035
	)	AMENDED
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

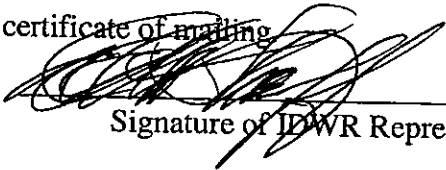
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
- | | |
|---|--|
| XX Point of diversion | XX Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| XX Other – Remarks & Conditions | |
- ☐ 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: Jan 20, 2010


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 21, 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	☐ 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:

Dick H. Coleman	☐ overnight mail
33 Pahsimeroi Rd	☒ regular mail
Ellis ID 83235	☐ hand-delivered
	☐ facsimile

Starr W Coleman	☐ overnight mail
9603 W Wright St	☒ regular mail
Boise ID 83709	☐ hand-delivered
	☐ facsimile

Robert W. Chewning	
139 Pahsimeroi Rd	☒ regular mail
Ellis ID 83235	


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 T16N R20E S25 36 NWSE

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.