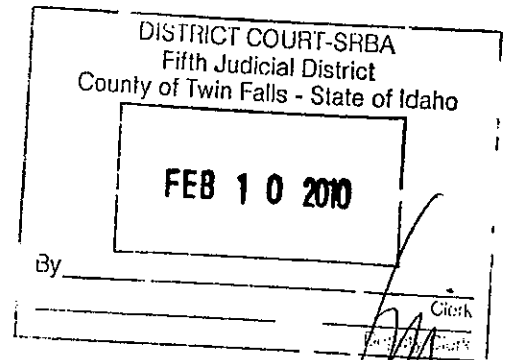




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)
Case No. 39576)
)
)
)

**Water Rights: 2-2251, 2-10017
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 ☐ Change in ownership

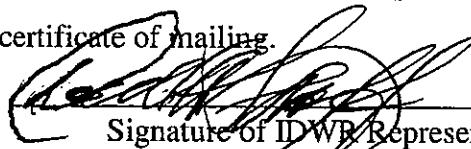
XX Other – Conditions & Remarks

☐ 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: Feb 8, 2010


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 9, 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

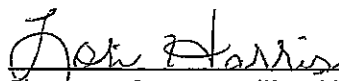
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

Director of IDWR	☒ hand-delivered
PO Box 83720	
Boise ID 83720	

3. Copies to all parties to the subcase:

Jackie Van Es	☐ overnight mail
Dale Van Es	☒ regular mail
8222 Desert Dr	☐ hand-delivered
Marsing ID 83639	☐ facsimile

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



Signature of person mailing this document

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

RIGHT NUMBER: 2-2251

NAME AND ADDRESS: JACKIE VAN ES
8222 DESERT DR
MARSING ID 83639

DALE VAN ES
8222 DESERT DR
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.080 CFS
1,368.000 AFY

Rights 2-2251 and 2-10017 when combined shall not exceed a total diversion rate of 29.00 cfs.

PRIORITY DATE: 11/17/1964

POINT OF DIVERSION:

T02S R01E S30 SENW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.080 CFS 1,368.00 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 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

<u>T02S R01W S14</u>	<u>SWSW</u>	<u>40.00</u>	<u>T02S R01W S14</u>	<u>SESW</u>	<u>40.00</u>
<u>T02S R01W S14</u>	<u>SWSE</u>	<u>40.00</u>	<u>T02S R01W S15</u>	<u>SENE</u>	<u>40.00</u>
<u>T02S R01W S15</u>	<u>NESW</u>	<u>40.00</u>	<u>T02S R01W S15</u>	<u>SESW</u>	<u>40.00</u>
<u>T02S R01W S15</u>	<u>NESE</u>	<u>40.00</u>	<u>T02S R01W S15</u>	<u>NWSE</u>	<u>40.00</u>
<u>T02S R01W S15</u>	<u>SWSE</u>	<u>40.00</u>	<u>T02S R01W S15</u>	<u>SESE</u>	<u>40.00</u>
<u>T02S R01W S21</u>	<u>SESE</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>NENE</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>NWNE</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>SWNE</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>SENE</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>NENW</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>SENW</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>NESW</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>NWSW</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>SWSW</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>SESW</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>NESE</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>NWSE</u>	<u>40.00</u>	<u>T02S R01W S22</u>	<u>SWSE</u>	<u>40.00</u>
<u>T02S R01W S22</u>	<u>SESE</u>	<u>40.00</u>	<u>T02S R01W S23</u>	<u>NWNE</u>	<u>40.00</u>
<u>T02S R01W S23</u>	<u>SWNE</u>	<u>40.00</u>	<u>T02S R01W S23</u>	<u>NENW</u>	<u>40.00</u>
<u>T02S R01W S23</u>	<u>NWNW</u>	<u>40.00</u>	<u>T02S R01W S23</u>	<u>SWNW</u>	<u>40.00</u>

T02S R01W S23	SENW	40.00	T02S R01W S23	NESW	~~40.00~~ 38.00
T02S R01W S23	NWSW	40.00	T02S R01W S23	SWSW	40.00
T02S R01W S23	SESW	~~40.00~~ 32.00	T02S R01W S23	NWSE	40.00
T02S R01W S23	SWSE	40.00	T02S R01W S26	NWNE	40.00
T02S R01W S26	SWNE	40.00	T02S R01W S26	NENW	40.00
T02S R01W S26	NWNW	40.00	T02S R01W S26	SWNW	40.00
T02S R01W S26	SENW	40.00	T02S R01W S26	NESW	40.00
T02S R01W S26	NWSW	40.00	T02S R01W S26	SWSW	40.00
T02S R01W S26	SESW	40.00	T02S R01W S26	NWSE	~~40.00~~ 38.00
T02S R01W S26	SWSE	~~40.00~~ 36.00	T02S R01W S27	NENE	40.00
T02S R01W S27	NWNE	40.00	T02S R01W S27	SWNE	40.00
T02S R01W S27	SENE	40.00	T02S R01W S27	NENW	40.00
T02S R01W S27	NWNW	40.00	T02S R01W S27	SWNW	40.00
T02S R01W S27	SENW	40.00	T02S R01W S27	NESW	40.00
T02S R01W S27	NWSW	40.00	T02S R01W S27	SWSW	40.00
T02S R01W S27	SESW	40.00	T02S R01W S27	NESE	40.00
T02S R01W S27	NWSE	40.00	T02S R01W S27	SWSE	40.00
T02S R01W S27	SESE	40.00	T02S R01W S34	NENE	40.00
T02S R01W S34	NWNE	40.00	T02S R01W S34	NENW	40.00

2720 ACRES TOTAL ~~304 TOTAL ACRES~~

This right is limited to the irrigation of 304 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 2,495 acres in a single irrigation season. Combined Right Nos.: 2-2251, 2-10017.

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

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.

The following rights are diverted through point of diversion described above: 2-2251 and 2-10017.

The right holder shall accomplish the change authorized by Transfer 74753 within one year of the date of the approval.

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

RIGHT NUMBER: 2-10017

NAME AND ADDRESS: JACKIE VAN ES
8222 DESERT DR
MARSING ID 83639

DALE VAN ES
8222 DESERT DR
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 29.000 CFS
9,860.000 AFY

Rights 2-2251 and 2-10017 when combined shall not exceed a total diversion rate of 29.00 cfs.

PRIORITY DATE: 12/04/1963

POINT OF DIVERSION:

T02S R01E S30 SENW 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	03/15 11/15	29.000 CFS 9,860.00 AFY
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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 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

T02S R01W S14	SWSW	40.00	T02S R01W S14	SESW	40.00 ~~38.00~~
T02S R01W S14	SWSE	40.00 ~~37.00~~	T02S R01W S15	SENE	40.00
T02S R01W S15	NESW	40.00 ~~31.00~~	T02S R01W S15	SESW	40.00 ~~31.00~~
T02S R01W S15	NESE	40.00	T02S R01W S15	NWSE	40.00
T02S R01W S15	SWSE	40.00	T02S R01W S15	SESE	40.00
T02S R01W S21	SESE	40.00	T02S R01W S22	NENE	40.00 ~~38.00~~
T02S R01W S22	NWNE	40.00	T02S R01W S22	SWNE	40.00
T02S R01W S22	SENE	40.00 ~~38.00~~	T02S R01W S22	NENW	40.00
T02S R01W S22	SENW	40.00	T02S R01W S22	NESW	40.00
T02S R01W S22	NWSW	40.00	T02S R01W S22	SWSW	40.00
T02S R01W S22	SESW	40.00	T02S R01W S22	NESE	40.00 ~~38.00~~
T02S R01W S22	NWSE	40.00	T02S R01W S22	SWSE	40.00
T02S R01W S22	SESE	40.00	T02S R01W S23	NWNE	40.00
T02S R01W S23	SWNE	40.00	T02S R01W S23	NENW	40.00
T02S R01W S23	NWNW	40.00	T02S R01W S23	SWNW	40.00

T02S R01W S23	SENW	40.00	T02S R01W S23	NESW	<u>40.00</u> ~~2.00~~
T02S R01W S23	NWSW	<u>40.00</u> ~~39.00~~	T02S R01W S23	SWSW	<u>40.00</u> ~~34.00~~
T02S R01W S23	SESW	<u>40.00</u> ~~6.00~~	T02S R01W S23	NWSE	40.00
<u>T02S R01W S23</u>	<u>SWSE</u>	<u>40.00</u>	<u>T02S R01W S26</u>	<u>NWNE</u>	<u>40.00</u>
<u>T02S R01W S26</u>	<u>SWNE</u>	<u>40.00</u>	T02S R01W S26	NENW	40.00
T02S R01W S26	NWNW	40.00	T02S R01W S26	SWNW	40.00
T02S R01W S26	SENW	40.00	T02S R01W S26	NESW	40.00
T02S R01W S26	NWSW	40.00	T02S R01W S26	SWSW	40.00
T02S R01W S26	SESW	<u>40.00</u> ~~30.00~~	<u>T02S R01W S26</u>	<u>NWSE</u>	<u>40.00</u>
<u>T02S R01W S26</u>	<u>SWSE</u>	<u>40.00</u>	<u>T02S R01W S27</u>	<u>NENE</u>	<u>40.00</u>
<u>T02S R01W S27</u>	<u>NWNE</u>	<u>40.00</u>	<u>T02S R01W S27</u>	<u>SWNE</u>	<u>40.00</u>
<u>T02S R01W S27</u>	<u>SENE</u>	<u>40.00</u>	T02S R01W S27	NENW	40.00
T02S R01W S27	NWNW	40.00	T02S R01W S27	SWNW	<u>40.00</u> ~~39.00~~
T02S R01W S27	SENW	40.00	T02S R01W S27	NESW	40.00
T02S R01W S27	NWSW	<u>40.00</u> ~~30.00~~	T02S R01W S27	SWSW	40.00
T02S R01W S27	SESW	40.00	T02S R01W S27	NESE	40.00
T02S R01W S27	NWSE	40.00	T02S R01W S27	SWSE	40.00
T02S R01W S27	SESE	40.00	T02S R01W S34	NENE	40.00
T02S R01W S34	NWNE	40.00	T02S R01W S34	NENW	40.00

2720 ACRES TOTAL ~~2191 TOTAL ACRES~~

This right is limited to the irrigation of 2191 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 2,495 acres in a single irrigation season. Combined Right Nos.: 2-2251, 2-10017.

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

The right holder shall accomplish the change authorized by Transfer 74753 within one year of the date of the approval.

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

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.

This right is a combination of old right nos. 2-2249, 2-2250, 2-2252, 2-2253, 2-2254, 2-2255 and 2-2256.

The following rights are diverted through point of diversion described above: 2-2251 and 2-10017.