

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 18 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

Case No. 39576

Subcase No. 37-578E, 37-686C,
37-8001C

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

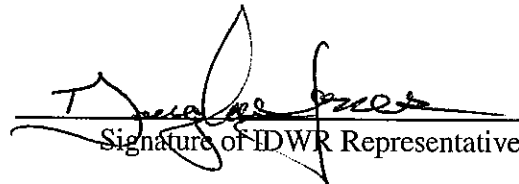
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

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 Reports* for said water rights. 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: 2/17/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-18, 200¹⁰~~9~~, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

Restated McMahan 1986 Revocable Trust
William A. McMahan Trustee
PO Box 3125
Ketchum ID 83340

Lisa Grand-Jean
PO Box 6086
Ketchum ID 83340

James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

11/25/2009

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

RIGHT NUMBER: 37-578E

NAME AND ADDRESS: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 3125
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

Diversion of ground water is limited to those times water is available for diversion under Right No. 37-578E at its original source, Big Wood River.

QUANTITY: 0.100 CFS
7.00 AFY

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C is limited to a total combined diversion rate of 0.06 cfs and a total combined annual volume of 7.0 af.

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 05/02/1884

POINT OF
DIVERSION:

T02N R18E S35 SWSE Lot 8 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.100 CFS 7.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 Lot 8 SWSE 2.00

2 ACRES TOTAL

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C when combined is limited to the irrigation of 2.0 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 - Decreed

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this 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.

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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

11/25/2009

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

RIGHT NUMBER: 37-686C

NAME AND ADDRESS: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 3125
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

Diversion of ground water is limited to those times water is available for diversion under Right No. 37-686C at its original source, Big Wood River.

QUANTITY: 0.150 CFS

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C is limited to a total combined diversion rate of 0.06 cfs and a total combined annual volume of 7.0 af.

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/01/1886

POINT OF
DIVERSION:

T02N R18E S35 SWSE Lot 8 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.150 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S35 Lot 8 SWSE 2.00

2 ACRES TOTAL

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C when combined is limited to the irrigation of 2.0 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 - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

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 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.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

11/25/2009

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

RIGHT NUMBER: 37-8001C

NAME AND ADDRESS: RESTATED MC MAHAN 1986 REVOCABLE TRUST
WILLIAM A MC MAHAN TRUSTEE
PO BOX 3125
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
7.00 AFY

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C is limited to a total combined diversion rate of 0.06 cfs and a total combined annual volume of 7.0 af.

PRIORITY DATE: 02/08/1982

POINT OF
DIVERSION:

T02N R18E S35 NESWSE Lot 8 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.030 CFS 7.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35 Lot 8 SWSE 2.00

2 ACRES TOTAL

Diversion under Right Nos. 37-578E, 37-686C, and 37-8001C when combined is limited to the irrigation of 2.0 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