

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	)	Subcase No: 37-7319
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

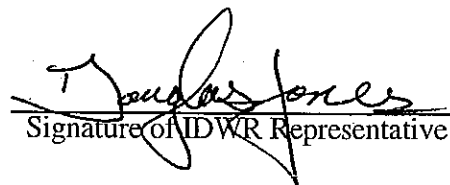
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

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, 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
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 W Fort St MSC 033
Boise ID 83724

Croy Creek Properties
PO Box 1330
Hailey ID 83333



Signature of person or attorney mailing the form

02/16/2010

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

RIGHT NUMBER: 37-7319

NAME AND ADDRESS: CROY CREEK PROPERTIES LLC
PO BOX 1330
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 1.090 CFS
395.70 AFY

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/17/1974

POINT OF
DIVERSION:

T02N R17E S35 NWNENE Within BLAINE County
T02N R17E S35 SWNENE Within BLAINE County
T02N R17E S35 SWNENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.090 CFS 395.70 AFY

The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S25	SWSW	39.00	T02N R17E S25	SESW	20.00
T02N R17E S25	NWSE	5.00	T02N R17E S25	SWSE	27.00
T02N R17E S25	SESE	4.00	T02N R17E S26	SESE	39.00

T02N R17E S35	NENE	40.00	T02N R17E S35	SENE	37.00
T02N R17E S36	NWNE	27.00	T02N R17E S36	SWNE	39.00
T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW	40.00
T02N R17E S36	SWNW	39.00	T02N R17E S36	SENW	38.00
T02N R17E S36	NWSE	40.00			

474 ACRES TOTAL

This right when combined with Rights 37-22065, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

This right is limited to the irrigation of 222 acres within the place of use described above in a single irrigation season.

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

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 accomplish the change authorized by this transfer within five years of the date of this approval.

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

This right is limited to a specific 222 acres within the 474 acre place of use authorized through approval of Transfer 71652. The specific 222 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 222 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.