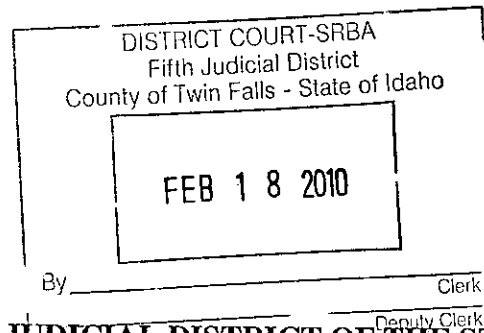


COPY



**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: 37-22065, 37-22067,
37-22069
**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: 37-22065

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

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.800 CFS

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.

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.

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T02N R17E S35 SWNE 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	6.800 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	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 37-7319, 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.

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

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. 37.

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-253 .

02/16/2010

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

RIGHT NUMBER: 37-22067

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

SOURCE: BULLION CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.940 CFS

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.

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.

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T02N R17E S25 NESESW 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	1.940 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	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 37-7319, 37-22065 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

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. 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.

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

This right is a split from former right 37-254 .

02/16/2010

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

RIGHT NUMBER: 37-22069

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

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.290 CFS

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.

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: 06/01/1883

POINT OF
DIVERSION:

T02N R17E S36 SESENW 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	0.290 CFS
STOCKWATER	01/01 12/31	0.020 CFS

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			

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S25	SESW
T02N R17E S25	NWSE	T02N R17E S25	SWSE
T02N R17E S25	SESE	T02N R17E S26	SESE
T02N R17E S35	NENE	T02N R17E S35	SENE
T02N R17E S36	NWNE	T02N R17E S36	SWNE
T02N R17E S36	NENW	T02N R17E S36	NWNW
T02N R17E S36	SWNW	T02N R17E S36	SENW
T02N R17E S36	NWSE		

474 ACRES TOTAL

This right when combined with Rights 37-7319, 37-22065 and 37-22067 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

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.

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. 37.

The right holder shall accomplish the change authorized by this transfer within five years 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.

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

This right is a split from former right 37-255 .



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 18, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CROY CREEK PROPERTIES
PO BOX 1330
HAILEY ID 83333

RE: SRBA Claim(s) 37-7319, 37-22065, 37-22067, 37-22069

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure



Idaho Department of Water Resources

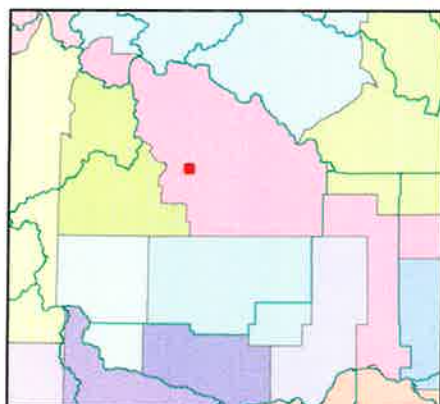
Adjudication Recommendation

37-22067

(IRRIGATION)

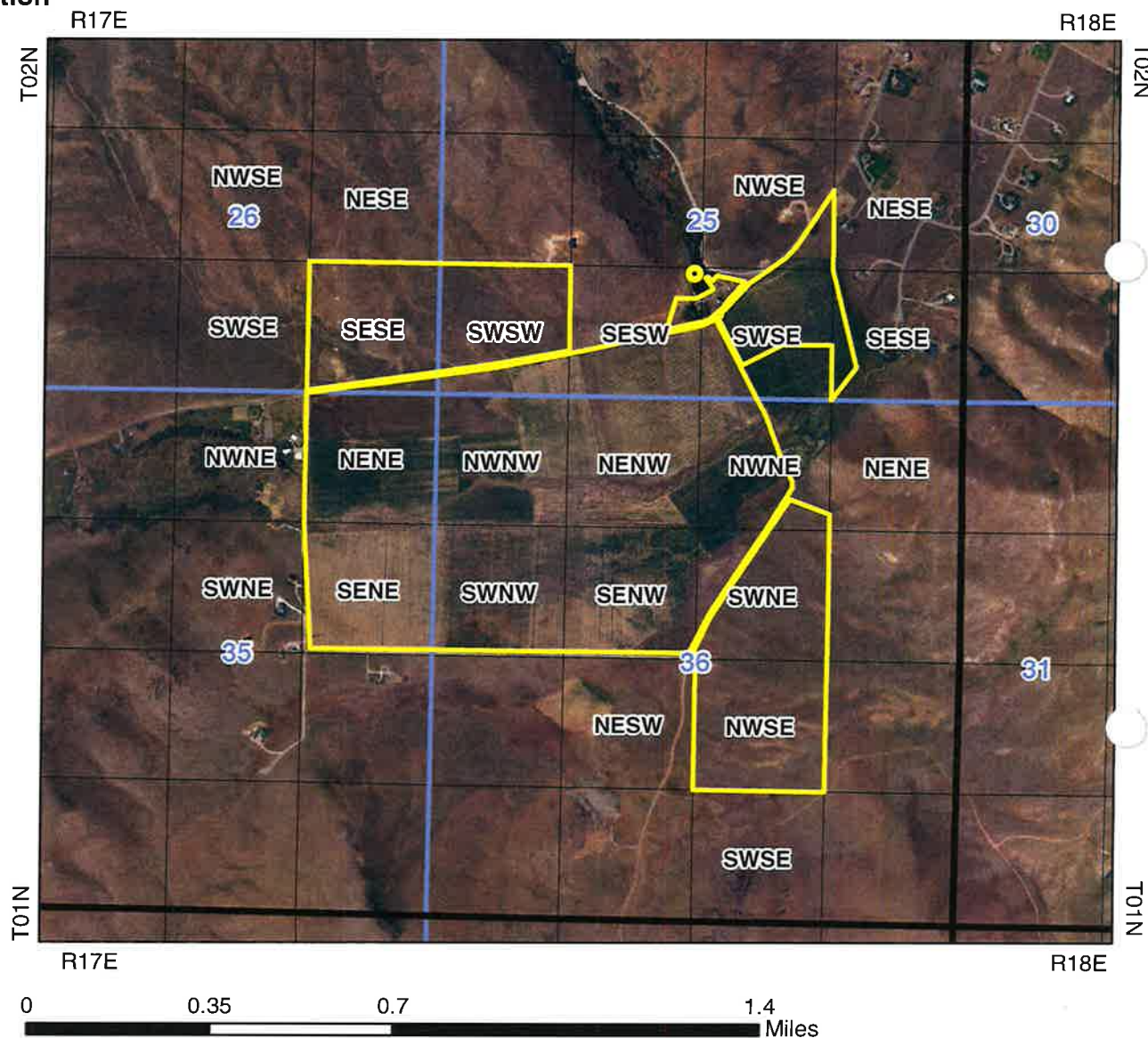
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



**Blaine County
IDWR Basin 37**

Prepared by Trish Fawcett
On February 16, 2010
2004 Aerial Photography



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73855

This is to certify that: CROY CREEK PROPERTIES LLC
 PO BOX 1330
 HAILEY ID 83333
 (208)788-9300

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-22067	AJC/Decreed	06/01/1883	1.94 cfs	N/A		319.9	BULLION CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22067	NO	NO	YES	NO	NO	NO

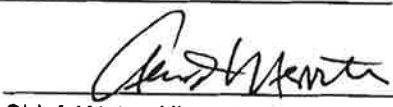
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-22067	37-22067	1.94 cfs	N/A	319.9	474.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.94 cfs		319.9	474		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 20 08

FOR


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22067
As Modified by Transfer No. 73855

In accordance with the approval of Transfer No. 73855, Water Right No. 37-22067 is now described as follows.

Right Holder: CROY CREEK PROPERTIES LLC
 PO BOX 1330
 HAILEY ID 83333

Priority Date: June 01, 1883

Source: BULLION CREEK

Tributary: CROY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	1.94 CFS
			1.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

BULLION CREEK NESESW Sec. 25 Twp 02N Rge 17E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 17E 25											39.0	20.0		5.0	27.0	4.0	95.0
02N 17E 26																39.0	39.0
02N 17E 35	40.0			37.0													77.0
02N 17E 36		27.0	39.0		40.0	40.0	39.0	38.0					40.0				263.0

Total Acres: 474

WATER RIGHT NO. 37-22067
As Modified by Transfer No. 73855

CONDITIONS OF APPROVAL

1. This right is limited to a specific 319.9 acres within the 474 acre place of use authorized through approval of Transfer 73855. The specific 319.9 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 319.9 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.
2. This right when combined with Rights 37-7319, 37-22065 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
3. 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.
4. 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. 37.
5. 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.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of October, 20 08



FOR Chief, Water Allocation Bureau