

401
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 DEC 2 AM 10 17

**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: 75-7067

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

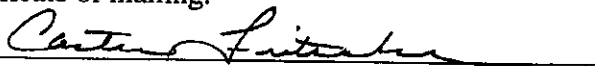
- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion
 - ☐ Period of use
 - ☐ Split of water right
 - ☐ Other
 - ☐ Place of use
 - ☐ Nature of use
 - ☐ Change in ownership

XX 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: December 2, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 2, 2009, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

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

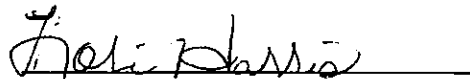
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Martin W. Halpern
PO Box 32
Argyle TX 76226

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

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


Signature of person mailing this document

DISTRICT COURT - 3RD
TWIN FALLS CO, IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

2009 DEC 2 / AM 10 17

RIGHT NUMBER: 75-7067

NAME AND ADDRESS: MARTIN W HALPERN
PO BOX 32
ARGYLE TX 76226

SOURCE: SOUTH GULCH CREEK

TRIBUTARY: BIG HAT CREEK

QUANTITY: 0.160 CFS 2.00 CFS
28.300 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre or more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/09/1976 03/08/1976

POINT OF DIVERSION:

T17N R20E S11 SWSESW Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.160 CFS 1.6 CFS

04/01 11/01

28.30 AFY

POWER

01/01 12/31

2.00 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T17N R20E S14 NENW 1.30 45

T17N R20E S14 NWNW 1.20

T17N R20E S14 SWNW 1.40

T17N R20E S14 SENW 4.20 45

8.1 ACRES TOTAL 30 ACRES TOTAL

Place of use does not include federal public lands.

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.

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License Permit

Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department

This right does not grant any right-of-way or easement across the land of another.