

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

MAR 17 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	)))))	Water Rights: 2-10283 (Split) 2-10328, 2-10329 NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING
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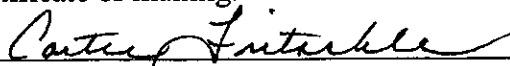
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - XX Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ 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: 3-15-10



 Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 16, 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	XX 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	XX regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

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

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

3. Copies to all parties to the subcase:

Jackie Post	☐ overnight mail
Karla Post	XX regular mail
PO Box 298	☐ hand-delivered
Mountain Home ID 83647	☐ facsimile

William Wolfe	☐ overnight mail
Victoria Wolfe	XX regular mail
PO Box 368	☐ hand-delivered
Grand View ID 83624	☐ facsimile

Arnold Estate Trust	XX regular mail
1118 Navalle Ct	
Pleasanton CA 94566	


Signature of person mailing this document

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

RIGHT NUMBER: 2-10283 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 2-10328 & 2-10329

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

RIGHT NUMBER: 2-10328

NAME AND ADDRESS: JACKIE P POST
PO BOX 298
MOUNTAIN HOME ID 83647

KARLA KAY POST
PO BOX 298
MOUNTAIN HOME ID 83647

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.820 CFS
906.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate.

PRIORITY DATE: 12/16/1963

POINT OF DIVERSION:

T05S R07E S28 NESW Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.820 CFS 906.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S01 Lot 5 NENW	40.00	T05S R06E S01 Lot 6 NWNW	40.00
T05S R06E S01 Lot 7 SWNW	40.00	T05S R06E S01 Lot 8 SENW	40.00
T05S R07E S06 Lot 5 SWNW	40.00	T05S R07E S06 SENW	40.00
T05S R07E S06 NESW	40.00	T05S R07E S06 Lot 6 NWSW	40.00

320 ACRES TOTAL

This right is limited to the irrigation of 226.5 acres within the place of use described above in a single irrigation season.

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

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

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