

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)

Water Rights: 22-7269

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

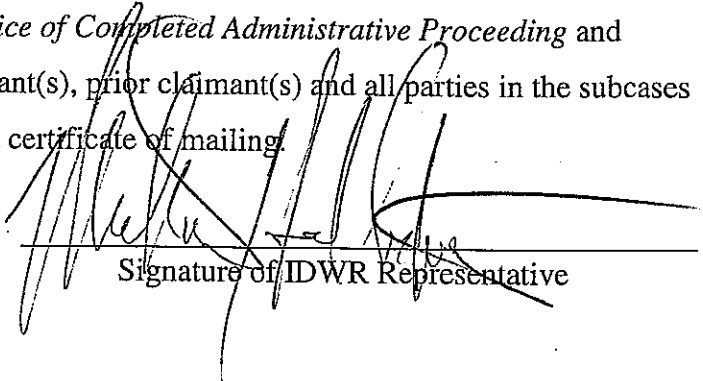
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 76126
 - ☒ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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: 4/13/2010



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 14, 2010, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
City of Newdale
PO Box 70
Newdale ID 83436

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

Milner Irrigation District
Represented by
Baker Rosholt & Simpson LLP
113 Main Ave W Ste 303
PO Box 485
Twin Falls ID 83303-0485

American Falls Reservoir
Represented by:
C Thomas Arkoosh
Capitol Law Group PLLC
301 Main St
PO Box 32
Gooding ID 83330

A & B Irrigation District
Burley Irrigation District
Represented by
Roger Ling
615 H St
PO Box 396
Rupert ID 83350-0396

Canyon Creek Canal Co
City of Newdale
Fremont Madison Irrigation
Represented by
Jerry Rigby
25 N 2nd E
PO Box 250
Rexburg ID 83440-0250

IGWA Inc
Represented by
Randall C Budge
201 E Center Ste A2
PO Box 1391
Pocatello ID 83204

North Side Canal Co LTD
Twin Falls Canal Co
Represented by
Travis Thompson
113 Main Ave W Ste 303
PO Box 485
Twin Falls ID 83303-0485

4. One copy to:

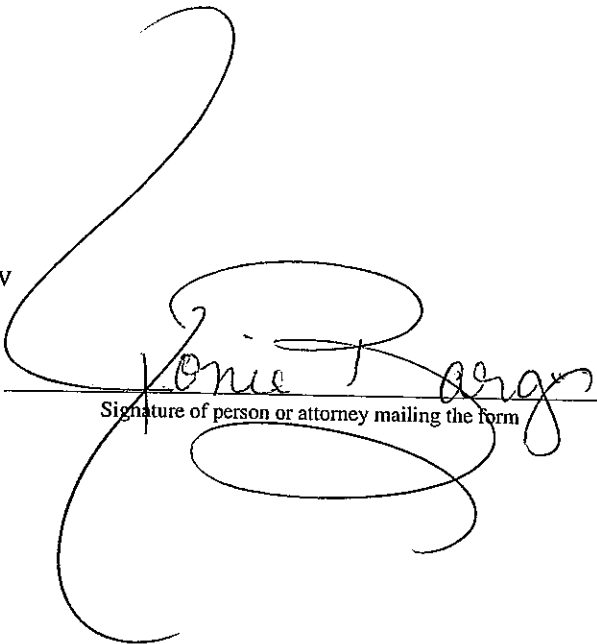
Each party in the subcase, or attorney of record (Continued)
Minidoka Irrigation District
Represented by
W Kent Fletcher
1200 Overland Ave
POI Box 248
Burley DI 83318

5. One copy each to:

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

6. One Copy to:

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



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 22-7269

NAME AND ADDRESS: CITY OF NEWDALE
PO BOX 70
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.520 CFS

Diversion of water authorized under Transfer 76126 from the point of diversion located in L2 (SWNW), Sec. 7, T06N, R42E shall not exceed a total combined maximum diversion rate of 1.5 cfs and a total annual maximum diversion volume of 543.0 af.

PRIORITY DATE: 02/21/1978

POINT OF
DIVERSION:

T06N R41E S4 NENENE Lot 1 Within MADISON County
T06N R42E S7 SWNW Lot 2 Within MADISON County
T07N R41E S34 NWSESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	1.520 CFS

PLACE OF USE:

Place of use is within the service area of the City of Newdale municipal water supply system as provided for under Idaho Law.

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.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Well No. 1 located in NWSESE Sec 34, T07N, R41E.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Prior to the diversion and use of water under Transfer 76126, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality.

The following rights are diverted through point(s) of diversion described above: 22-2217, 22-7269.

The right holder shall accomplish the change authorized by transfer 76126 by January 26, 2011.

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

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

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Failure of the right holder to comply with the conditions of transfer 76126 is cause for the Director to rescind approval of the transfer.

Prior to diversion and use of water under Transfer approval 76126, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.