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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 3 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: 63-3315, 63-3547, 63-3581 NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING
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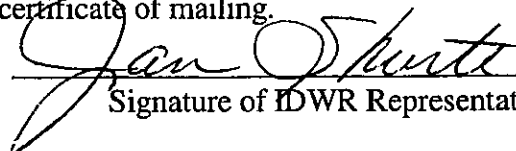
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
 - XX Point of diversion XX Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - XX Other-Conditions & Remarks
- ☐ 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: 4/29/10



 Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 30, 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	☒ 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	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

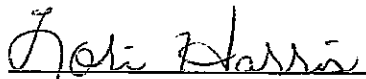
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

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

3. Copies to all parties to the subcase:

Gregory Troost	☐ overnight mail
Joyce Troost	☒ regular mail
30540 Sabin Rd	☐ hand-delivered
Parma ID 83660	☐ facsimile

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


Signature of person mailing this document

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

RIGHT NUMBER: 63-3315

NAME AND ADDRESS: GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

JOYCE TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.340 CFS
2,743.300 AFY

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined for all uses shall not exceed a total diversion rate of 14.15 cfs and a total annual maximum diversion volume of 3280.3 af.

Rights 63-3315, 63-3547, 63-3581 and ~~63-33292~~ ~~63-9279~~ are limited for dairy uses to a total combined diversion rate of 2.55 cfs and to a total combined annual diversion volume of 399.8 af for stockwater and commercial uses at the dairy facility.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Diversion of water from the additional well authorized under Transfer 74917 located in the SWNE, Sec. 36, T6N, R5W shall not exceed a maximum diversion rate of 7.00 cfs.

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined shall not exceed a total diversion rate of 11.60 cfs, a total annual maximum diversion volume of 2880.5 af at the field headgate, and the irrigation of 640.1 acres.

~~The rights listed below are limited to total combined diversion rate of 12.28 cfs and to a total combined annual diversion volume of 3051.5 AF at the field headgate for the irrigation of 678.1 acres. Combined Right Nos.: 63-3065, 63-3315, 63-3547, 63-3581 and 63-9279~~

~~The total instantaneous diversion rate from all authorized points of diversion under this right is limited to 14.83 cfs and to a total combined annual diversion volume of 3451.3 AF for all uses.~~

PRIORITY DATE: 10/15/1962

POINT OF DIVERSION:

T06N R05W S25 SWSE Within PAYETTE County

T06N R05W S35 NENE Within CANYON County

T06N R05W S36 SWNE Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

~~T06N R05W S36 NWSE Within PAYETTE County~~

~~T06N R05W S36 NWSE Within PAYETTE County~~

~~T06N R05W S36 SWSW Within PAYETTE County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.960 CFS 493.20 AFY
COMMERCIAL	01/01 12/31	0.960 CFS 493.20 AFY
IRRIGATION	03/01 11/15	4.380 CFS 2,250.10 AFY

Commercial use is for a dairy.

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S25	NESW	40.00	T06N R05W S25	NWSW	40.00
<u>T06N R05W S25</u>	<u>SWSW</u>	<u>40.00</u>	T06N R05W S25	SESW	<u>40.00</u> 24.50
T06N R05W S25	SWSE	<u>40.00</u> 33.00	T06N R05W S25	SESE	<u>40.00</u> 30.00
<u>T06N R05W S35</u>	<u>SENE</u>	<u>40.00</u>	<u>T06N R05W S35</u>	<u>NESE</u>	<u>40.00</u>
<u>T06N R05W S35</u>	<u>NWSE</u>	<u>18.00</u>	<u>T06N R05W S35</u>	<u>SWSE</u>	<u>24.00</u>
T06N R05W S36	NENE	<u>40.00</u> 30.00	T06N R05W S36	NWNE	40.00
T06N R05W S36	SWNE	<u>40.00</u> 27.50	T06N R05W S36	SENE	40.00
T06N R05W S36	NENW	40.00	T06N R05W S36	NWNW	<u>40.00</u> 29.00
T06N R05W S36	SWNW	40.00	T06N R05W S36	SENW	<u>40.00</u> 31.00
T06N R05W S36	NESW	<u>40.00</u> 21.00	T06N R05W S36	NWSW	40.00
T06N R05W S36	SWSW	<u>40.00</u> 39.00	T06N R05W S36	SESW	<u>40.00</u> 36.00
T06N R05W S36	NESE	40.00	<u>T06N R05W S36</u>	<u>NWSE</u>	<u>40.00</u>
T06N R05W S36	SWSE	<u>40.00</u> 31.00	T06N R05W S36	SESE	<u>40.00</u> 30.00

STOCKWATER in PAYETTE County

T06N R05W S36	SWNE	T06N R05W S36	SENW
T06N R05W S36	NESW	T06N R05W S36	SESW
T06N R05W S36	NWSE	T06N R05W S36	SWSE

COMMERCIAL in PAYETTE County

T06N R05W S25	NESW	T06N R05W S25	NWSW
T06N R05W S25	SESW	T06N R05W S25	SWSE
T06N R05W S25	SESE	T06N R05W S36	NENE
T06N R05W S36	NWNE	T06N R05W S36	SWNE
T06N R05W S36	SENE	T06N R05W S36	NENW
T06N R05W S36	NWNW	T06N R05W S36	SWNW
T06N R05W S36	SENW	T06N R05W S36	NESW
T06N R05W S36	NWSW	T06N R05W S36	SWSW
T06N R05W S36	SESW	T06N R05W S36	NESE
T06N R05W S36	NWSE	T06N R05W S36	SWSE
T06N R05W S36	SESE		

1002 ACRES TOTAL ~~682 TOTAL ACRES~~

The place of commercial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements.

This right is limited to the irrigation of 588.5 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

Failure of the right holder to comply with the conditions of Transfer 73903 is cause for the Director to rescind approval of the transfer.

Right Nos. 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 are also diverted through points of diversion described above.

Right Nos. 63-3065, 63-2547, 63-3581, and 63-9279 are also diverted through points of diversion described above.

Stockwater use is for 6940 dairy cattle.

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

The right holder shall accomplish the change authorized by Transfer 73903 within one year of the date of the approval.

~~Failure of the right holder to comply with the conditions of Transfer 74917 is cause for the Director to rescind approval of the transfer.~~

~~The right holder shall accomplish the change authorized by Transfer 74917 within one year of the date of the approval.~~

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

RIGHT NUMBER: 63-3547

NAME AND ADDRESS: GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

JOYCE TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.630 CFS
1351.100 AFY

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined for all uses shall not exceed a total diversion rate of 14.15 cfs and a total annual maximum diversion volume of 3280.3 af.

Rights 63-3315, 63-3547, 63-3581 and 63-33292 are limited for dairy uses to a total combined diversion rate of 2.55 cfs and to a total combined annual diversion volume of 399.8 af for stockwater and commercial uses at the dairy facility.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Diversion of water from the additional well authorized under Transfer 74917 located in the SWNE, Sec. 36, T6N, R5W shall not exceed a maximum diversion rate of 7.00 cfs.

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined shall not exceed a total diversion rate of 11.60 cfs, a total annual maximum diversion volume of 2880.5 af at the field headgate, and the irrigation of 640.1 acres.

~~The rights listed below are limited to total combined diversion rate of 12.28 cfs and to a total combined annual diversion volume of 3051.5 AF at the field headgate for the irrigation of 678.1 acres. Combined Right Nos.: 63-3065, 63-3315, 63-3547, 63-3581 and 63-9279~~

~~The total instantaneous diversion rate from all authorized points of diversion under this right is limited to 14.83 cfs and to a total combined annual diversion volume of 3451.3 AF for all uses.~~

PRIORITY DATE: 10/04/1966

POINT OF DIVERSION:

T06N R05W S25 SWSE Within PAYETTE County

T06N R05W S35 NENE Within CANYON County

T06N R05W S36 SWNE Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

T06N R05W S36 SESW Within PAYETTE County

~~T06N R05W S36 NWSE Within PAYETTE County~~

~~T06N R05W S36 NWSE Within PAYETTE County~~

~~T06N R05W S36 SWSW Within PAYETTE County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.650 CFS 333.90 AFY
COMMERCIAL	01/01 12/31	0.650 CFS 333.90 AFY
IRRIGATION	03/01 11/15	1.980 CFS 1017.20 AFY

Commercial use is for a dairy.

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S25	NESW	40.00	T06N R05W S25	NWSW	40.00
<u>T06N R05W S25</u>	<u>SWSW</u>	<u>40.00</u>	T06N R05W S25	SESW	<u>40.00</u> ~~24.50~~
T06N R05W S25	SWSE	<u>40.00</u> ~~33.00~~	T06N R05W S25	SESE	<u>40.00</u> ~~30.00~~
<u>T06N R05W S35</u>	<u>SENE</u>	<u>40.00</u>	<u>T06N R05W S35</u>	<u>NESE</u>	<u>40.00</u>
<u>T06N R05W S35</u>	<u>NWSE</u>	<u>18.00</u>	<u>T06N R05W S35</u>	<u>SWSE</u>	<u>24.00</u>
T06N R05W S36	NENE	<u>40.00</u> ~~30.00~~	T06N R05W S36	NWNE	40.00
T06N R05W S36	SWNE	<u>40.00</u> ~~27.50~~	T06N R05W S36	SENE	40.00
T06N R05W S36	NENW	40.00	T06N R05W S36	NWNW	<u>40.00</u> ~~29.00~~
T06N R05W S36	SWNW	40.00	T06N R05W S36	SENW	<u>40.00</u> ~~31.00~~
T06N R05W S36	NESW	<u>40.00</u> ~~21.00~~	T06N R05W S36	NWSW	40.00
T06N R05W S36	SWSW	<u>40.00</u> ~~39.00~~	T06N R05W S36	SESW	<u>40.00</u> ~~36.00~~
T06N R05W S36	NESE	40.00	<u>T06N R05W S36</u>	<u>NWSE</u>	<u>40.00</u>
T06N R05W S36	SWSE	<u>40.00</u> ~~31.00~~	T06N R05W S36	SESE	<u>40.00</u> ~~30.00~~

STOCKWATER in PAYETTE County

T06N R05W S36	SWNE	T06N R05W S36	SENW
T06N R05W S36	NESW	T06N R05W S36	SESW
T06N R05W S36	NWSE	T06N R05W S36	SWSE

COMMERCIAL in PAYETTE County

T06N R05W S25	NESW	T06N R05W S25	NWSW
T06N R05W S25	SESW	T06N R05W S25	SWSE
T06N R05W S25	SESE	T06N R05W S36	NENE
T06N R05W S36	NWNE	T06N R05W S36	SWNE
T06N R05W S36	SENE	T06N R05W S36	NENW
T06N R05W S36	NWNW	T06N R05W S36	SWNW
T06N R05W S36	SENW	T06N R05W S36	NESW
T06N R05W S36	NWSW	T06N R05W S36	SWSW
T06N R05W S36	SESW	T06N R05W S36	NESE
T06N R05W S36	NWSE	T06N R05W S36	SWSE
T06N R05W S36	SESE		

1002 ACRES TOTAL ~~682 TOTAL ACRES~~

The place of commercial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements.

This right is limited to the irrigation of 239.5 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

Failure of the right holder to comply with the conditions of Transfer 73903 is cause for the Director to rescind approval of the transfer.

Right Nos. 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 are also diverted through points of diversion described above.

Right Nos. 63-3065, 63-3547, 63-3581, and 63-9279 are also diverted through points of diversion described above.

Stockwater use is for 6940 dairy cattle.

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

The right holder shall accomplish the change authorized by Transfer 73903 within one year of the date of the approval.

~~Failure of the right holder to comply with the conditions of Transfer 74917 is cause for the Director to rescind approval of the transfer.~~

~~The right holder shall accomplish the change authorized by Transfer 74917 within one year of the date of the approval.~~

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

RIGHT NUMBER: 63-3581

NAME AND ADDRESS: GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

JOYCE TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.130 CFS
580.500 AFY

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined for all uses shall not exceed a total diversion rate of 14.15 cfs and a total annual maximum diversion volume of 3280.3 af.

Rights 63-3315, 63-3547, 63-3581 and ~~63-33292~~ ~~63-9279~~ are limited for dairy uses to a total combined diversion rate of 2.55 cfs and to a total combined annual diversion volume of 399.8 af for stockwater and commercial uses at the dairy facility.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Diversion of water from the additional well authorized under Transfer 74917 located in the SWNE, Sec. 36, T6N, R5W shall not exceed a maximum diversion rate of 7.00 cfs.

Rights 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 when combined shall not exceed a total diversion rate of 11.60 cfs, a total annual maximum diversion volume of 2880.5 af at the field headgate, and the irrigation of 640.1 acres.

~~The rights listed below are limited to total combined diversion rate of 12.28 cfs and to a total combined annual diversion volume of 3051.5 AF at the field headgate for the irrigation of 678.1 acres. Combined Right Nos.: 63-3065, 63-3315, 63-3547, 63-3581 and 63-9279~~

~~The total instantaneous diversion rate from all authorized points of diversion under this right is limited to 14.83 cfs and to a total combined annual diversion volume of 3451.3 AF for all uses.~~

PRIORITY DATE: 02/02/1967

POINT OF DIVERSION:

T06N R05W S25 SWSE Within PAYETTE County
T06N R05W S35 NENE Within CANYON County
T06N R05W S36 SWNE Within PAYETTE County
~~T06N R05W S36 SESW Within PAYETTE County~~
~~T06N R05W S36 SESW Within PAYETTE County~~
~~T06N R05W S36 SESW Within PAYETTE County~~
~~T06N R05W S36 NWSE Within PAYETTE County~~
~~T06N R05W S36 NWSE Within PAYETTE County~~
~~T06N R05W S36 SWSW Within PAYETTE County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.200 CFS 102.70 AFY
COMMERCIAL	01/01 12/31	0.200 CFS 102.70 AFY
IRRIGATION	03/01 11/15	.930 CFS 477.80 AFY

Commercial use is for a dairy.

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S25	NESW	40.00	T06N R05W S25	NWSW	40.00
<u>T06N R05W S25</u>	<u>SWSW</u>	<u>40.00</u>	T06N R05W S25	SESW	<u>40.00</u> 24.50
T06N R05W S25	SWSE	<u>40.00</u> 33.00	T06N R05W S25	SESE	<u>40.00</u> 30.00
<u>T06N R05W S35</u>	<u>SENE</u>	<u>40.00</u>	<u>T06N R05W S35</u>	<u>NESE</u>	<u>40.00</u>
<u>T06N R05W S35</u>	<u>NWSE</u>	<u>18.00</u>	<u>T06N R05W S35</u>	<u>SWSE</u>	<u>24.00</u>
T06N R05W S36	NENE	<u>40.00</u> 30.00	T06N R05W S36	NWNE	40.00
T06N R05W S36	SWNE	<u>40.00</u> 27.50	T06N R05W S36	SENE	40.00
T06N R05W S36	NENW	40.00	T06N R05W S36	NWNW	<u>40.00</u> 29.00
T06N R05W S36	SNNW	40.00	T06N R05W S36	SENW	<u>40.00</u> 31.00
T06N R05W S36	NESW	<u>40.00</u> 21.00	T06N R05W S36	NWSW	40.00
T06N R05W S36	SWSW	<u>40.00</u> 39.00	T06N R05W S36	SESW	<u>40.00</u> 36.00
T06N R05W S36	NESE	40.00	<u>T06N R05W S36</u>	<u>NWSE</u>	<u>40.00</u>
T06N R05W S36	SWSE	<u>40.00</u> 31.00	T06N R05W S36	SESE	<u>40.00</u> 30.00

STOCKWATER in PAYETTE County

T06N R05W S36	SWNE	T06N R05W S36	SENW
T06N R05W S36	NESW	T06N R05W S36	SESW
T06N R05W S36	NWSE	T06N R05W S36	SWSE

COMMERCIAL in PAYETTE County

T06N R05W S25	NESW	T06N R05W S25	NWSW
T06N R05W S25	SESW	T06N R05W S25	SWSE
T06N R05W S25	SESE	T06N R05W S36	NENE
T06N R05W S36	NWNE	T06N R05W S36	SWNE
T06N R05W S36	SENE	T06N R05W S36	NENW
T06N R05W S36	NWNW	T06N R05W S36	SNNW
T06N R05W S36	SENW	T06N R05W S36	NESW
T06N R05W S36	NWSW	T06N R05W S36	SWSW
T06N R05W S36	SESW	T06N R05W S36	NESE
T06N R05W S36	NWSE	T06N R05W S36	SWSE
T06N R05W S36	SESE		

1002 ACRES TOTAL ~~682 TOTAL ACRES~~

The place of commercial use authorized by this right includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements.

This right is limited to the irrigation of 588.5 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

Failure of the right holder to comply with the conditions of Transfer 73903 is cause for the Director to rescind approval of the transfer.

Right Nos. 63-3315, 63-3547, 63-3581, 63-33290 and 63-33292 are also diverted through points of diversion described above.

~~Right Nos. 63-3065, 63-3547, 63-3581, and 63-9279 are also diverted through points of diversion described above.~~

Stockwater use is for 6940 dairy cattle.

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

The right holder shall accomplish the change authorized by Transfer 73903 within one year of the date of the approval.

~~Failure of the right holder to comply with the conditions of Transfer 74917 is cause for the Director to rescind approval of the transfer.~~

~~The right holder shall accomplish the change authorized by Transfer 74917 within one year of the date of the approval.~~