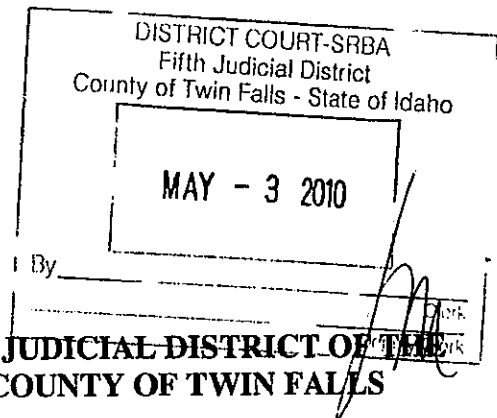




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA
Case No. 39576

**Water Rights: 63-2706B (Split)
63-32906, 63-32907, 63-32908
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

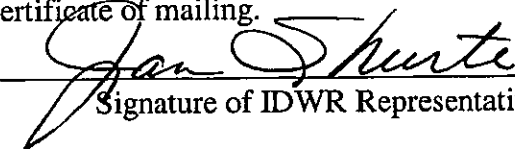
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ 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: 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	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

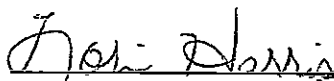
Director of IDWR	XX hand-delivered
PO Box 83720	
Boise ID 83720	

3. Copies to all parties to the subcase:

Edward & Billye Jenkins Family Trust	☐ overnight mail
14221 Orchard Ave	XX regular mail
Caldwell ID 83605	☐ hand-delivered
	☐ facsimile

William Jenkins	☐ overnight mail
Candace Jenkins	XX regular mail
14229 Orchard Ave	☐ hand-delivered
Caldwell ID 83605	☐ facsimile

J B J Limited Partnership	
14221 Orchard Ave	XX regular mail
Caldwell ID 83605	


Signature of person mailing this document

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

RIGHT NUMBER: 63-2706B DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-32906, 63-32907, & 63-32908

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

RIGHT NUMBER: 63-32906

NAME AND ADDRESS: THE EDWARD G AND BILLYE O JENKINS FAMILY TRUST
14221 ORCHARD AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
90.600 AFY

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION:

T03N R03W S22 NENE Within CANYON County

T03N R03W S22 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY
IRRIGATION	03/01 11/15	0.300 CFS 90.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S22 NENE 20.00

DOMESTIC in CANYON County

T03N R03W S22 NENE

20 ACRES TOTAL

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.

Diversion and use of water under this right from the new well authorized under Transfer 69928 located in the NENE, Sec 22, T03N, R03W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. Provided, (1) this condition does not intend to affect the rights priority date of 7/2/1948, which is expressly preserved except in case of injury as set forth by the following, and (2) "determination of injury" means an injury proven by a claimant to have occurred because of pumping from the new location in conjunction with any pumping from the original location and then only to the extent that the alleged cause (pumping) is something more than would be permitted had the pumping occurred only at the original location.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-2706B.

Failure of the right holder to comply with the conditions of Transfer 69928 is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall measure the diversion 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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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

RIGHT NUMBER: 63-32907

NAME AND ADDRESS: WILLIAM E JENKINS
14229 ORCHARD AVE
CALDWELL ID 83605

CANDACE JENKINS
14229 ORCHARD AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
45.000 AFY

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION:

T03N R03W S22 NENE Within CANYON County

T03N R03W S22 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.150 CFS 45.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S22 SENE 10.00

10 ACRES TOTAL

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

Diversion and use of water under this right from the new well authorized under Transfer 69928 located in the NENE, Sec 22, T03N, R03W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. Provided, (1) this condition does not intend to affect the rights priority date of 7/2/1948, which is expressly preserved except in case of injury as set forth by the following, and (2) "determination of injury" means an injury proven by a claimant to have occurred because of pumping from the new location in conjunction with any pumping from the original location and then only to the extent that the alleged cause (pumping) is something more than would be permitted had the pumping occurred only at the original location.

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

This right is a split from former right 63-2706B.

After specific notification by the Department, the right holder shall measure the diversion 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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of Transfer 69928 is cause for the Director to rescind approval of the transfer.

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

RIGHT NUMBER: 63-32908

NAME AND ADDRESS: J B J LIMITED PARTNERSHIP
14221 ORCHARD AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.750 CFS
225.000 AFY

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION:

T03N R03W S22 NENE Within CANYON County

T03N R03W S22 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.750 CFS 225.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S22	NENE	20.00	T03N R03W S22	SENE	30.00
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50 ACRES TOTAL

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

Diversion and use of water under this right from the new well authorized under Transfer 69928 located in the NENE, Sec 22, T03N, R03W shall be subordinate to all ground water rights existing within the immediate area prior to the date of approval of this transfer upon determination of injury due to local well interference. Provided, (1) this condition does not intend to affect the rights priority date of 7/2/1948, which is expressly preserved except in case of injury as set forth by the following, and (2) "determination of injury" means an injury proven by a claimant to have occurred because of pumping from the new location in conjunction with any pumping from the original location and then only to the extent that the alleged cause (pumping) is something more than would be permitted had the pumping occurred only at the original location.

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

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Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.