

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

MAY - 3 2010

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: 63-9279 (Split)
63-33290, 63-33292
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

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

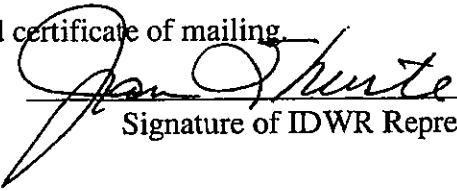
☐ Other-Conditions & Remarks

☐ 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
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

Director of IDWR
PO Box 83720
Boise ID 83720

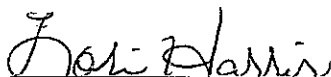
☒ hand-delivered

3. Copies to all parties to the subcase:

Gregory Troost
Joyce Troost
30540 Sabin Rd
Parma ID 83660

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ 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: 63-9279 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-33290 & 63-33292

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

RIGHT NUMBER: 63-33290

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

GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
468.000 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.

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.

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.

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.

PRIORITY DATE: 11/01/1955

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.400 CFS 468.00 AFY

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R05W S25	NESW	40.00	T06N R05W S25	NWSW	40.00
T06N R05W S25	SWSW	40.00	T06N R05W S25	SESW	40.00
T06N R05W S25	SWSE	40.00	T06N R05W S25	SESE	40.00
T06N R05W S35	SENE	40.00	T06N R05W S35	NESE	40.00
T06N R05W S35	NWSE	18.00	T06N R05W S35	SWSE	24.00
T06N R05W S36	NENE	40.00	T06N R05W S36	NWNE	40.00
T06N R05W S36	SWNE	40.00	T06N R05W S36	SENE	40.00

T06N R05W S36	NENW	40.00	T06N R05W S36	NWNW	40.00
T06N R05W S36	SWNW	40.00	T06N R05W S36	SENW	40.00
T06N R05W S36	NESW	40.00	T06N R05W S36	NWSW	40.00
T06N R05W S36	SWSW	40.00	T06N R05W S36	SESW	40.00
T06N R05W S36	NESE	40.00	T06N R05W S36	NWSE	40.00
T06N R05W S36	SWSE	40.00	T06N R05W S36	SESE	40.00

1002 ACRES TOTAL

This right is limited to the irrigation of 104 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

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

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.

This right is a split from former right 63-9279.

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

Failure of the right holder to comply with the conditions of Transfer 73903 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: 63-33292

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

GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.650 CFS
1,872.700 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.

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.

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.

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.

PRIORITY DATE: 09/07/1979

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.740 CFS 380.20 AFY
IRRIGATION	03/15 11/15	2.910 CFS 1,492.50 AFY
COMMERCIAL	01/01 12/31	0.740 CFS 380.20 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
T06N R05W S25	SWSW	40.00	T06N R05W S25	SESW	40.00
T06N R05W S25	SWSE	40.00	T06N R05W S25	SESE	40.00
T06N R05W S35	SENE	40.00	T06N R05W S35	NESE	40.00

T06N R05W S35	NWSE	18.00	T06N R05W S35	SWSE	24.00
T06N R05W S36	NENE	40.00	T06N R05W S36	NWNE	40.00
T06N R05W S36	SWNE	40.00	T06N R05W S36	SENE	40.00
T06N R05W S36	NENW	40.00	T06N R05W S36	NWNW	40.00
T06N R05W S36	SWNW	40.00	T06N R05W S36	SENW	40.00
T06N R05W S36	NESW	40.00	T06N R05W S36	NWSW	40.00
T06N R05W S36	SWSW	40.00	T06N R05W S36	SESW	40.00
T06N R05W S36	NESE	40.00	T06N R05W S36	NWSE	40.00
T06N R05W S36	SWSE	40.00	T06N R05W S36	SESE	40.00

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

This right is limited to the irrigation of 632.5 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

This right is a split from former right 63-9279.

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

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

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

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

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.