

COPY

RECEIVED

MAY 28 2010

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

MAY 25 2010

By _____

Clerk

Deputy Clerk

Department of Water Resources

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

Subcase No: 47-7464 (Split)

47-17103, 47-17104

Case No. 39576

NOTICE OF COMPLETED

ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Split of Water Right

☒ Point of Diversion

☒ Place of Use

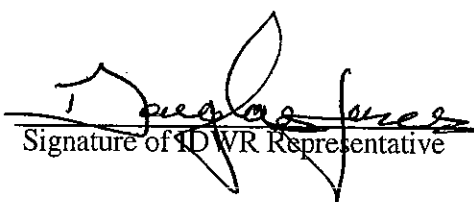
☐ Period of Use

☒ Nature of Use

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: 5/24/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-25, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

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

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

Robert & Kathi Meyers Ltd Family Partnership
3024 Woodridge Dr
Twin Falls ID 83301

David Millard
Dba Crystal Springs Ranch
c/o Russell Millard
24725 230th Way SE
Maple Valley WA 98038

PAUL ARRINGTON
BARKER ROSHOLT & SIMPSON
PO BOX 485
TWIN FALLS ID 83303-0485



Signature of person or attorney mailing the form

05/5/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
47-7464	DAVID R MILLARD DBA CRYSTAL SPRINGS RANCH RT 1 BOX 119 TWIN FALLS ID 83301	Disallowed	Recommended as 47-17103 and 47-17104.

05/05/2010

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

RIGHT NUMBER: 47-17103

NAME AND ADDRESS: DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
C/O RUSSELL MILLARD
24725 230TH WAY SE
MAPLE VALLEY WA 98038

SOURCE: CEDAR DRAW

TRIBUTARY: SNAKE RIVER

QUANTITY: 42.920 CFS

PRIORITY DATE: 03/06/1978

POINT OF
DIVERSION:

T09S R15E S14 SWNE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

01/01 12/31

42.920 CFS

PLACE OF USE: FISH PROPAGATION in TWIN FALLS County

T09S R15E S14 NENE

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.

Facility volume = 252,000 cubic feet.

Stilling wells, staff gages, or rated sections, sufficient to provide a measurement of the rate of inflow & outflow from the project shall be maintained by the right holder.

The source of this water right is waste water originally diverted by the Twin Falls Canal Co. The wasting of water may be discontinued at any time.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/05/2010

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

RIGHT NUMBER: 47-17104

NAME AND ADDRESS: ROBERT & KATHI MEYERS LTD FAMILY PARTNERSHIP
3024 WOODRIDGE DRIVE
TWIN FALLS ID 83301

SOURCE: CEDAR DRAW

TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under this approval, the right holder shall comply with all Idaho Department of Fish and Game permitting and/or fish screening and/or fish passage requirements.

QUANTITY: 5.000 CFS

Use of water under this right shall be non-consumptive. At such time in the future as the Director determines necessary to protect the prior rights of other users, the Director may require determination of the rate of loss within the system using a procedure approved by the Director, and may require mitigation for all system losses.

PRIORITY DATE: 03/06/1978

POINT OF
DIVERSION:

T09S R15E S14 NWSWNE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

RECREATION

01/01 12/31

5.000 CFS

PLACE OF USE: RECREATION in TWIN FALLS County

T09S R15E S12 Lot 6 NESW

T09S R15E S12 Lot 10 NWSW

T09S R15E S12 SWSW

T09S R15E S12 SESW

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

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

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

The source of this water right is waste water originally diverted by the Twin Falls Canal Co. The wasting of water may be discontinued at any time.

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