

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

AUG - 6 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) **Water Right: 47-29**
)
Case No. 39576) **NOTICE OF COMPLETED**
) **ADMINISTRATIVE PROCEEDING**

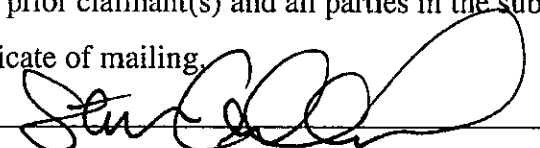
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☒ Other: **Transfer**

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 8/4/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5 August, 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

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

3. Copies to all parties to the subcase:

J. R. Simplot Self-Declaration Revocable
Trust
P.O. Box 27
Boise, ID 83707-0027



Signature of Person Mailing This Form

08/04/2010

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

RIGHT NUMBER: 47-29

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

SOURCE: CEDAR CREEK
SPRINGS

TRIBUTARY: SALMON FALLS CREEK
TRIBUTARY: CEDAR CREEK

QUANTITY: 0.640 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION:

T14S R13E S27 SWSWNE Within TWIN FALLS County

T14S R13E S27 SWSWNE Within TWIN FALLS County

T14S R13E S27 SESENE Within TWIN FALLS County

T14S R13E S23 SWNWSW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.460 CFS

IRRIGATION

04/01 10/31

0.640 CFS

PLACE OF USE:

IRRIGATION in TWIN FALLS County

T14S R13E S22 SESE 14.00

T14S R13E S23 NWSW 8.00

T14S R13E S27 SWNE 10.00

STOCKWATER in TWIN FALLS County

T14S R13E S22 SESE

T14S R13E S23 NWSW

T14S R13E S27 SWNE

32 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.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47C.

08/04/2010

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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 year(s) of the date of this approval.

Stockwater use is for 2000 beef cattle.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76469

This is to certify that: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027
(208)336-2110

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-29	AJC/Decreed	05/01/1906	0.64 cfs	N/A	32.0	32.0	CEDAR CREEK, SPRINGS

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
47-29	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
47-29	47-29	0.64 cfs	N/A	N/A	32.0	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.64 cfs	N/A	N/A	32.0	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of July, 20 10

for Camela S. Skaggs
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHT NO. 47-29
As Modified by Transfer No. 76469

In accordance with the approval of Transfer No. 76469, Water Right No. 47-29 is now described as follows.

Right Holder: J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE ID 83707-0027

Priority Date: May 01, 1906

Source: CEDAR CREEK
SPRINGS

Tributary: SALMON FALLS CREEK
CEDAR CREEK

BENEFICIAL USE

STOCKWATER
IRRIGATION

From	To	Diversion Rate
01/01 to 12/31		0.46 CFS
04/01 to 10/31		0.64 CFS
		0.64 CFS

LOCATION OF POINT(S) OF DIVERSION:

CEDAR CREEK	SWNWSW	Sec. 23 Twp 14S Rge 13E	TWIN FALLS County
SPRINGS	SWSWNE	Sec. 27 Twp 14S Rge 13E	TWIN FALLS County
SPRINGS	SWSWNE	Sec. 27 Twp 14S Rge 13E	TWIN FALLS County
CEDAR CREEK	SESENW	Sec. 27 Twp 14S Rge 13E	TWIN FALLS County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S 13E 22																X	
14S 13E 23																	
14S 13E 27			X														

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S 13E 22																14.0	14.0
14S 13E 23									8.0								8.0
14S 13E 27			10.0														10.0

Total Acres: 32.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHT NO. 47-29
As Modified by Transfer No. 76469

CONDITIONS OF APPROVAL

1. Place of use does not include federal public lands.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 47C.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 30th day of July, 20 10

for Camela S. Skaggs
Chief, Water Allocation Bureau

