

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 21 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

Subcase No. 37-548, 37-549, 37-1222,
37-2142, 37-4440, 37-4138,
37-4139, 37-12396

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

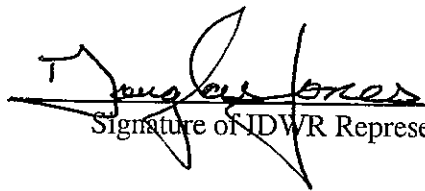
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 9/14/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-21, 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 West Fort Street MSC 033
Boise ID 83724

Kevin Braley
Holland & Hart LLP
PO Box 2527
Boise ID 83701

Kevin Beaton
Stoel Rives LLP
101 S Capitol Blvd Ste 1900
Boise ID 83702



Signature of person or attorney mailing the form

08/17/2010

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

RIGHT NUMBER: 37-548

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: DEMOCRAT GULCH CREEK
LAMBS GULCH CREEK

TRIBUTARY: CROY CREEK
TRIBUTARY: DEMOCRAT GULCH CREEK

QUANTITY: 3.600 CFS

PRIORITY DATE: 06/01/1880

POINT OF
DIVERSION:

T02N R18E S18 SWNW Within BLAINE County
T02N R18E S18 NESWNW Lot 2 Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NESWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	3.600 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

08/17/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 06/30/1882

POINT OF
DIVERSION:

T02N R18E S19 NESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	4.000 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW	2.90	T02N R18E S17 Lot 4 SENW 23.00
	T02N R18E S17 NESW	8.60	T02N R18E S17 NWSW 27.00
	T02N R18E S17 Lot 1 SWSW	1.10	T02N R18E S18 SWNE 15.00
	T02N R18E S18 NENW	1.20	T02N R18E S18 SENW 27.00
	T02N R18E S18 NESW	1.20	T02N R18E S18 NESE 21.00
	T02N R18E S18 NWSE	18.00	T02N R18E S18 SWSE 17.00
	T02N R18E S18 Lot 5 SESE	22.00	

185 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

08/17/2010

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

RIGHT NUMBER: 37-1222

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: DEMOCRAT GULCH CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.400 CFS

PRIORITY DATE: 06/09/1911

POINT OF
DIVERSION:

T02N R18E S18 NESWNW Lot 2 Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NESWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.400 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

08/17/2010

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

RIGHT NUMBER: 37-2142

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: HOT SPRINGS GULCH CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.500 CFS

PRIORITY DATE: 06/24/1909

POINT OF
DIVERSION:

T02N R18E S18 SWSW Lot 4 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.500 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.

This right is limited to the irrigation of 75 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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

08/17/2010

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

RIGHT NUMBER: 37-4440

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.310 CFS
59.30 AFY

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/31/1950

POINT OF
DIVERSION:

T02N R18E S18 NWNWSE Injection Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS 1.40 AFY
RECREATION STORAGE	01/01 12/31	5.00 AFY
IRRIGATION	04/15 10/31	0.310 CFS 54.30 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	3.40	T02N R18E S17 Lot 4 SENW	22.00
T02N R18E S17 NESW	8.20	T02N R18E S17 NWSW	26.00
T02N R18E S17 Lot 1 SWSW	0.90	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.10	T02N R18E S18 SENW	25.00
T02N R18E S18 NESW	0.40	T02N R18E S18 NESE	21.00
T02N R18E S18 NWSE	19.00	T02N R18E S18 SWSE	16.00
T02N R18E S18 Lot 5 SESE	22.00		

STOCKWATER in BLAINE County

T02N R18E S17 Lot 3 SWNW		T02N R18E S17 Lot 4 SENW	
T02N R18E S17 NESW		T02N R18E S17 NWSW	
T02N R18E S17 Lot 1 SWSW		T02N R18E S18 SWNE	
T02N R18E S18 NENW		T02N R18E S18 SENW	
T02N R18E S18 NESW		T02N R18E S18 NESE	
T02N R18E S18 NWSE		T02N R18E S18 SWSE	
T02N R18E S18 Lot 5 SESE			

RECREATION STORAGE in BLAINE County

T02N R18E S18 NESE		T02N R18E S18 Lot 5 SESE	
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180 ACRES TOTAL

This right is limited to the irrigation of 15.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.

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 - Beneficial Use

08/17/2010

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>
37-4138	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.

08/17/2010

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>
37-4139	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.

08/17/2010

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>
37-12396	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.