

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

JAN - 6 2011

By _____

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: 63-10297 (split)
63-33458, 63-33459
**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:

Jan Shute 1-3-11
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 5, ²⁰¹¹2010, 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	☒ 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	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

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

3. Copies to all parties to the subcase:

Greg Obendorf	☐ overnight mail
26496 Deb Ln	☒ regular mail
Parma ID 83660	☐ hand-delivered
	☐ facsimile

G O Investments LLC	☐ overnight mail
24034 Batt Corner Rd	☒ regular mail
Parma ID 83660	☐ hand-delivered
	☐ facsimile

Dana Hofstetter	☒ regular mail
608 W Franklin St	
Boise ID 83702	


Signature of person mailing this document

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

RIGHT NUMBER: 63-10297 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-33458 & 63-33459

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

RIGHT NUMBER: 63-33458

NAME AND ADDRESS: GREG OBENDORF
26496 DEB LN
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.920 CFS
924.300 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual maximum diversion volume of 1,266.3 afa at the field headgate. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation.

PRIORITY DATE: 05/23/1985

POINT OF DIVERSION:

T05N R05W S32 NWNW 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	2.920 CFS 924.30 AFY

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S29	SWNW	2.40	T05N R05W S29	SENE	2.00
T05N R05W S29	NESW	26.00	T05N R05W S29	NWSW	29.00
T05N R05W S32	NENW	35.00	T05N R05W S32	NWNW	37.00
T05N R05W S32	SWNW	38.00	T05N R05W S32	SENE	36.00

205.4 ACRES TOTAL

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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 63-10297 .

When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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

RIGHT NUMBER: 63-33459

NAME AND ADDRESS: G O INVESTMENTS LLC
24034 BATT CORNER RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.080 CFS
342.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual maximum diversion volume of 1,266.3 afa at the field headgate. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation.

PRIORITY DATE: 05/23/1985

POINT OF DIVERSION:

T05N R05W S32 NWNW 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	1.080 CFS 342.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S29	SWSW	38.00	T05N R05W S29	SESW	38.00
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76 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.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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