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JAN 13 2011

DEPARTMENT OF
WATER RESOURCES

COPY

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

JAN 12 2011

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 Rights: 27-10994

(Split into 27-12217 & 27-12218)

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

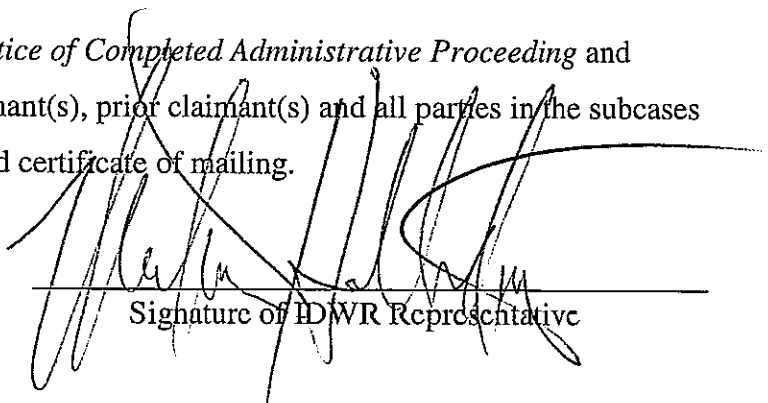
- ☐ Address change
- ☒ Substitution of Party WERNETTE-WASIA
- ☐ I.C. § 42-222 transfer

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

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: 1/7/2011



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 11, 2011, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Opal Wernette
Florian Wernette
508 N 600 E
Firth ID 83236

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
James M Wasia
Charlotte Wasia
530 E 400 N
Blackfoot ID 83221

4. One copy to:

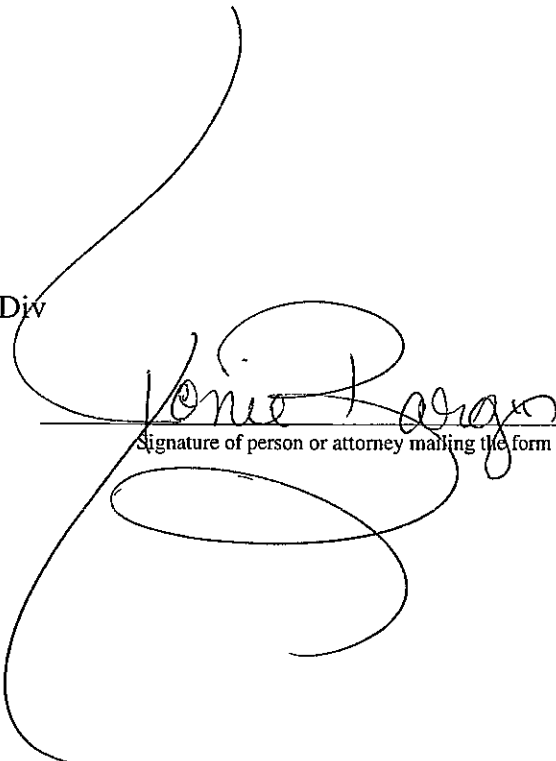
Each party in the subcase, or attorney of record	
Committee of Nine	Shoshone –Bannock Tribes
Represented by:	Represented by:
Baker Rosholt & Simpson LLP	Jeanette Wolfley-Special Counsel
113 Main Ave W Ste 303	202 N Arthur
PO Box 485	Pocatello ID 83202
Twin Falls ID 83303-0485	
Committee of Nine	Florian Wernette
Represented by:	Opal Wernette
Ray W Rigby	Represented by:
25 N 2 nd E	Jerry R Rigby
PO Box 250	25 N 2nd E
Rexburg ID 83440-0250	PO Box 250
	Rexburg ID 83440-0250

5. One copy each to:

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

6. One Copy to:

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



Signature of person or attorney mailing the form

01/6/2011

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
27-10994	Disallowed	Split into 27-12217 & 27-12218

01/06/2011

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

RIGHT NUMBER: 27-12217

NAME AND ADDRESS: OPAL WERNETTE
508 N 600 E
FIRTH ID 83236

FLORIAN WERNETTE
508 N 600 E
FIRTH ID 83236

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 2.950 CFS

PRIORITY DATE: 04/01/1901

POINT OF
DIVERSION:

T02S R36E S12 NENENE Within BINGHAM County
T02S R36E S12 SWNENE Within BINGHAM County
T02S R36E S12 NWSWNE Within BINGHAM County
T02S R36E S12 NWSESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.950 CFS
PLACE OF USE:	<u>IRRIGATION in BINGHAM County</u>		
	T02S R36E S12 NENE 21.00	T02S R36E S12 SWNE	29.00
	T02S R36E S12 SENE 39.00	T02S R36E S12 NESW	39.00
	T02S R36E S12 SWSW 33.50	T02S R36E S12 SESW	29.50
	T02S R36E S12 NESE 32.00	T02S R36E S12 NWSE	40.00
	T02S R36E S12 SWSE 38.00	T02S R36E S12 SESE	4.50

305.5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

This right is a split from former right 27-10994 .

01/06/2011

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

RIGHT NUMBER: 27-12218

NAME AND ADDRESS: JAMES M WASIA
530 E 400 N
BLACKFOOT ID 83221

CHARLOTTE WASIA
530 E 400 N
BLACKFOOT ID 83221

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 04/01/1901

POINT OF
DIVERSION:

T02S R36E S12 NENENE Within BINGHAM County
T02S R36E S12 SWNENE Within BINGHAM County
T02S R36E S12 NWSWNE Within BINGHAM County
T02S R36E S12 NWSESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.050 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T02S R36E S12	SWSW	0.50	T02S R36E S12	SESW	4.50
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5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 27-10994 .

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