

JAN 13 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
Case No. 39576

Water Rights: 2-57, 2-2130, 2-2406
2-7020, 2-7033, 2-7034, 2-7350
**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

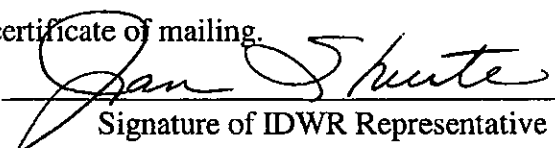
☐ Other

☐ 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: 1-2-11


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 12, 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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Director of IDWR
PO Box 83720
Boise ID 83720

☒ hand-delivered

3. Copies to all parties to the subcase:

Murphy Land Company LLC
PO Box 310
American Falls ID 83211

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

James C Hilliard
Barbara G Hilliard
4401 S Ocean Blvd #7
Highland Beach FL 33487

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

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

RIGHT NUMBER: 2-57

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.230 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 16.08 CFS. COMBINED RIGHT NOS.:
2-2129, 2-2130, 2-2406, 2-7025 and 2-7350.

PRIORITY DATE: 07/17/1969

POINT OF DIVERSION:

T05S R05E S28 SENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.230 CFS

PLACE OF USE: STOCKWATER in OWYHEE County

T05S R05E S31 Lot 5 SENW

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

Rights 2-2129, 2-2130, 2-2406, 2-7025, and 2-7350 are also diverted
through the point of diversion described above.

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

RIGHT NUMBER: 2-2130

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.420 CFS
855.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 2-7025 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2180 AF.

PRIORITY DATE: 05/21/1956

POINT OF DIVERSION:

T05S R05E S28 SENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.420 CFS 855.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S32	SWNE	40.00	T05S R05E S32	SENE	40.00
T05S R05E S32	SENW	40.00	T05S R05E S32	NESE	40.00
T05S R05E S32	NWSE	40.00			

200 ACRES TOTAL

This right is limited to the irrigation of 171 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

Rights 2-57, 2-2129, 2-2406, 2-7025, and 2-7350 are also diverted through the point of diversion described above.

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

RIGHT NUMBER: 2-2406

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.120 CFS
1,030.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2605 AF. COMBINED RIGHT
NOS.: 2-7025, 2-7350.

PRIORITY DATE: 02/03/1967

POINT OF DIVERSION:

T05S R05E S28 NENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

4.120 CFS
1,030.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S31	SWNE	39.00	T05S R05E S31	SENE	31.00
T05S R05E S31 Lot 5	SENW	38.00	T05S R05E S31 Lot 6	SENW	40.00
T05S R05E S31 Lot 7	NESW	40.00	T05S R05E S31	NESE	40.00
T05S R05E S31	NWSE	40.00	T05S R05E S32	SWNW	36.00

304 ACRES TOTAL

This right is limited to the irrigation of 206 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

Rights 2-57, 2-2129, 2-2130, 2-7025, and 2-7350 are also diverted through the point of diversion described above.

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

RIGHT NUMBER: 2-7020

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA G HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.660 CFS
1,165.000 AFY

PRIORITY DATE: 09/26/1968

POINT OF DIVERSION:

T06S R05E S8 NWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.660 CFS 1,165.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S32	SWSE	9.00	T05S R05E S32	SESE	5.00
T06S R05E S05	NENE	25.00	T06S R05E S05	NWNE	35.00
T06S R05E S05	SWNE	40.00	T06S R05E S05	SENE	39.00
T06S R05E S05	NENW	40.00	T06S R05E S05	SENW	40.00

233 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 - License

Rights 2-7021, 2-7033, and 2-7034 are also diverted through the point of diversion described above.

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

RIGHT NUMBER: 2-7033

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.400 CFS
1,507.200 AFY

USE OF THIS RIGHT WITH RIGHT NO. 2-7350 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1757.2 AF.

PRIORITY DATE: 04/04/1969

POINT OF DIVERSION:

T06S R05E S8 NWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.010 CFS 7.20 AFY
IRRIGATION	04/01 10/31	6.400 CFS 1,500.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S31 Lot 11 SWSW	40.00	T05S R05E S31 Lot 12 SESW	40.00
T05S R05E S31 SWSE	40.00	T06S R05E S06 Lot 2 NWNE	40.00
T06S R05E S06 SWNE	40.00	T06S R05E S06 Lot 3 NENW	40.00
T06S R05E S06 Lot 4 NWNW	40.00	T06S R05E S06 SENW	20.00

STOCKWATER in OWYHEE County

T06S R05E S06 SWNE

300 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 - License

Rights 2-7020, 2-7021, and 2-7034 are also diverted through the point of diversion described above.

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

RIGHT NUMBER: 2-7034

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.400 CFS
1,507.200 AFY

PRIORITY DATE: 04/04/1969

POINT OF DIVERSION:

T06S R05E S8 NWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.400 CFS 1,500.00 AFY
STOCKWATER	01/01 12/31	0.010 CFS 7.20 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R05E S05 Lot 4 NWNW	40.00	T06S R05E S05	SWNW	40.00
T06S R05E S05	NESW 40.00	T06S R05E S05	NWSW	40.00
T06S R05E S06 Lot 1 NENE	40.00	T06S R05E S06	SENE	40.00
T06S R05E S06	NESE 40.00	T06S R05E S06	NWSE	20.00

STOCKWATER same as IRRIGATION

300 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 - License

Rights 2-7020, 2-7021, and 2-7033 are also diverted through the point of diversion described above.

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

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

RIGHT NUMBER: 2-7350

NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

~~JAMES C HILLIARD~~
~~BARBARA C HILLIARD~~
~~4401 S OCEAN BLVD #7~~
~~HIGHLAND BEACH FL 33487~~

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.000 CFS
250.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2605 AF. COMBINED RIGHT
NOS.: 2-2406, 2-7025.

Water shall not be diverted under this right unless the flow of the Snake
River exceeds established downstream minimum stream flows.

PRIORITY DATE: 06/08/1981

POINT OF DIVERSION:

T05S R05E S28 SENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.000 CFS
250.00 AFY

The use of water for irrigation under this right may begin as early as March
1 provided other elements of the right are not exceeded. The use of water
before March 15 under this remark is subordinate to all water rights having
no subordinated early irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S31 Lot 5 SENW 39.00 T05S R05E S31 Lot 7 NESW 40.00

T05S R05E S31 Lot 12 SESW 12.00

91 ACRES TOTAL

This right is limited to the irrigation of 50 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

This right when combined with all other rights shall provide no more than .02
cfs per acre nor more than 5.0 afa per acre for the lands above.

Rights 2-57, 2-2129, 2-2130, 2-7025, and 2-7025 are also diverted through
the point of diversion described above.

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

RIGHT NUMBER: 2-7350
NAME AND ADDRESS: MURPHY LAND COMPANY LLC
PO BOX 310
AMERICAN FALLS ID 83211

JAMES C HILLIARD
BARBARA G HILLIARD
4401 G OCEAN BLVD #7
HIGHLAND BEACH FL 33487

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

JAN 13 2011

By _____ Clerk
Deputy Clerk

SOURCE: SNAKE RIVER
QUANTITY: 1.000 CFS
250.000 AFY

TRIBUTARY: COLUMBIA RIVER

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2605 AF. COMBINED RIGHT
NOS.: 2-2406, 2-7025.

Water shall not be diverted under this right unless the flow of the Snake
River exceeds established downstream minimum stream flows.

PRIORITY DATE: 06/08/1981

POINT OF DIVERSION:

T05S R05E S28 SENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.000 CFS
250.00 AFY

The use of water for irrigation under this right may begin as early as March
1 provided other elements of the right are not exceeded. The use of water
before March 15 under this remark is subordinate to all water rights having
no subordinated early irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S31 Lot 5 SENW

39.00

T05S R05E S31 Lot 7 NESW

40.00

T05S R05E S31 Lot 12 SESW

12.00

91 ACRES TOTAL

This right is limited to the irrigation of 50 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

This right when combined with all other rights shall provide no more than .02
cfs per acre nor more than 5.0 afa per acre for the lands above.

Rights 2-57, 2-2129, 2-2130, 2-7025, and 2-7025 are also diverted through
the point of diversion described above.