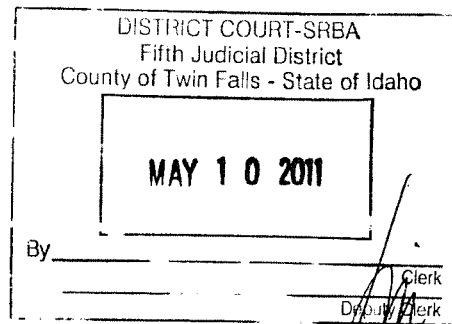




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)
Case No. 39576)
)
)
)
)

Water Rights: 74-159

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
☐ Substitution of Party
XX IC § 42-222 transfer

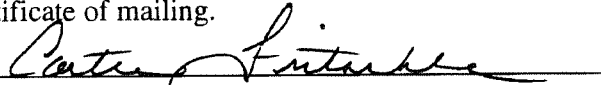
- XX Point of diversion XX Place of use
☐ Period of use ☐ Nature of use
☐ Split of water right ☐ Change in ownership
XX Other – Conditions & Remarks

- ☐ 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: 5-9-11


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 9, 2011, 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:

Beyeler Ranches LLC	☐ overnight mail
c/o Merrill & Sharal Beyeler	☒ regular mail
PO Box 62	☐ hand-delivered
Leadore ID 83464	☐ facsimile

☐ 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: 74-159

NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: CANYON CREEK
LEMHI RIVER

TRIBUTARY: LEMHI RIVER
TRIBUTARY: SALMON RIVER

QUANTITY: 0.500 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 07/01/1876

POINT OF DIVERSION:

T16N R26E S22 SWSE Within LEMHI County

T16N R26E S22 SESE Within LEMHI County

T16N R26E S28 NENW Within LEMHI County

T16N R26E S23 SWSW Within LEMHI County

The right holder shall provide a means of measurement acceptable to the department for measuring the flow in Canyon Creek at the original points of diversion and at the point of diversion from the Lemhi River.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION in LEMHI County

<u>T16N R26E S21</u>	<u>NESW</u>	<u>31.60</u>	<u>T16N R26E S21</u>	<u>SESW</u>	<u>13.60</u>
<u>T16N R26E S21</u>	<u>NESE</u>	<u>33.50</u>	<u>T16N R26E S21</u>	<u>NWSE</u>	<u>40.00</u>
<u>T16N R26E S21</u>	<u>SWSE</u>	<u>39.30</u>	<u>T16N R26E S21</u>	<u>SESE</u>	<u>29.90 28.00</u>
<u>T16N R26E S27</u>	<u>SWNE</u>	<u>31.10</u>	<u>T16N R26E S27</u>	<u>SWNW</u>	<u>33.20</u>
<u>T16N R26E S27</u>	<u>SENW</u>	<u>40.00</u>	<u>T16N R26E S27</u>	<u>NESW</u>	<u>37.80</u>
<u>T16N R26E S27</u>	<u>NWSW</u>	<u>28.30</u>	<u>T16N R26E S28</u>	<u>NENE</u>	<u>35.90 11.00</u>
<u>T16N R26E S28</u>	<u>NWNE</u>	<u>40.00</u>	<u>T16N R26E S28</u>	<u>SWNE</u>	<u>28.10</u>
<u>T16N R26E S28</u>	<u>SENE</u>	<u>40.00</u>	<u>T16N R26E S28</u>	<u>NENW</u>	<u>11.90</u>
<u>T16N R26E S28</u>	<u>NWNW</u>	<u>3.60</u>	<u>T16N R26E S28</u>	<u>SWNW</u>	<u>5.90</u>
<u>T16N R26E S28</u>	<u>SENW</u>	<u>19.10</u>	<u>T16N R26E S28</u>	<u>NESE</u>	<u>30.10</u>
<u>T16N R26E S28</u>	<u>NWSE</u>	<u>0.40</u>			

573.3 ACRES TOTAL 39 ACRES TOTAL

This right is limited to the irrigation of 39.0 acres within the authorized place of use in a single irrigation season.

Rights 74-31, 74-158, 74-159, 74-160, 74-871, 74-2289, 74-2326 and 74-7185 when combined shall not exceed the irrigation of 573.3 acres.

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

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).

The right holder shall accomplish the change authorized by this transfer by May 6, 2012.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Use of water under this right will be regulated by two watermasters with responsibility for the distribution of water among appropriators within both water districts. At the time of this approval, this water right is within State Water District No. 74 & 74-W.