

**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: 63-3583

**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

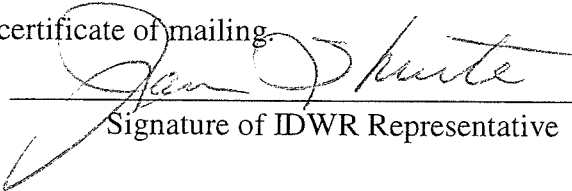
XX Other

☐ 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: 8/21/12



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 22, 2012, 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

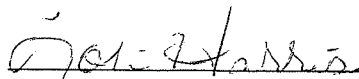
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

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

3. Copies to all parties to the subcase:

Basin & Range Resource Company LLC	☐ overnight mail
c/o Dorothy Timian Palmer	☒ regular mail
3480 G S Richards Blvd #101	☐ hand-delivered
Carson City NV 89703	☐ facsimile

Dana Hofstetter	☐ overnight mail
608 W Franklin	☒ regular mail
Boise ID 83702	☐ hand-delivered
	☐ facsimile


Signature of person mailing this document

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

RIGHT NUMBER: 63-3583

NAME AND ADDRESS:

BASIN AND RANGE RESOURCE
COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

1.500 CFS

472.500 APY

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

~~Rights 63-3583, 63-31841, 63-31842, 63-31854 and 63-31855 when combined shall not exceed a total diversion rate of 5.84 cfs.~~

~~The total instantaneous diversion of water from all points of diversion under Rights 63-3182, 63-3583, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842, 63-31854 and 63-31855 shall not exceed 20.8 cfs, nor a total combined annual volume of 5185.5 af for the irrigation of 990 acres and dairy uses.~~

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION:

T06N R05W S22 SESW
Within PAYETTE County

~~T06N R05W S23 NENE~~
~~Within PAYETTE County~~

~~T06N R05W S23 NWNW~~
~~Within PAYETTE County~~

T06N R05W S23 SWNE
Within PAYETTE County

~~T06N R05W S23 NENW~~
~~Within PAYETTE County~~

T06N R05W S23 NWSW
Within PAYETTE County

~~T06N R05W S23 SESW~~
~~Within PAYETTE County~~

T06N R05W S23 NWSESW
Within PAYETTE County

T06N R05W S23 NWSESW
Within PAYETTE County

T06N R05W S23 NESE
Within PAYETTE County

T06N R05W S23 NESE
Within PAYETTE County

T06N R05W S23 NESE
Within PAYETTE County

~~T06N R05W S23 SWSE~~
~~Within PAYETTE County~~

~~T06N R05W S23 NWSWSE~~
~~Within PAYETTE County~~

~~T06N R05W S24 NWNW~~
~~Within PAYETTE County~~

The following rights are diverted through points of diversion described above:
63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

~~Rights 63-3182, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841, 63-31842,~~
~~63-31854 and 63-31855 are also diverted through the points of diversion described~~
~~above.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	1.500 CFS 472.50 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

~~The use of water for irrigation under this right may begin as early as March 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.~~

PLACE OF USE:

IRRIGATION	within PAYETTE County
T06N R05W S13 SWSW 40.0	
~~T06N R05W S14 SWSW 40.0~~	~~T06N R05W S14 SWSW 37.0~~
~~T06N R05W S14 SESW 40.0~~	
~~T06N R05W S14 SWSE 40.0~~	
~~T06N R05W S14 SESE 40.0~~	~~T06N R05W S14 SESE 20.0~~
~~T06N R05W S15 SESE 40.0~~	~~T06N R05W S15 SESE 39.0~~
~~T06N R05W S22 NENE 40.0~~	
~~T06N R05W S22 NWNE 40.0~~	~~T06N R05W S22 NWNE 39.0~~
~~T06N R05W S22 SWNE 40.0~~	~~T06N R05W S22 SWNE 35.0~~
~~T06N R05W S22 SENE 40.0~~	
~~T06N R05W S22 NENW 40.0~~	~~T06N R05W S22 NENW 39.0~~
~~T06N R05W S22 SENW 40.0~~	~~T06N R05W S22 SENW 39.0~~
~~T06N R05W S22 NESW 40.0~~	~~T06N R05W S22 NESW 39.0~~
~~T06N R05W S22 SESW 40.0~~	~~T06N R05W S22 SESW 39.0~~
~~T06N R05W S22 NESE 40.0~~	
~~T06N R05W S22 NWSE 40.0~~	
~~T06N R05W S22 SWSE 40.0~~	
~~T06N R05W S22 SESE 40.0~~	
~~T06N R05W S23 NENE 40.0~~	~~T06N R05W S23 NENE 11.0~~
~~T06N R05W S23 NWNE 40.0~~	
~~T06N R05W S23 SWNE 40.0~~	~~T06N R05W S23 SWNE 32.0~~
~~T06N R05W S23 SENE 40.0~~	~~T06N R05W S23 SENE 6.0~~
~~T06N R05W S23 NENW 40.0~~	~~T06N R05W S23 NENW 10.0~~
~~T06N R05W S23 NWNW 40.0~~	
~~T06N R05W S23 SWNW 40.0~~	
~~T06N R05W S23 SENW 40.0~~	
~~T06N R05W S23 NESW 40.0~~	
~~T06N R05W S23 NWSW 40.0~~	~~T06N R05W S23 NWSW 37.0~~

T06N R05W S23 SESW 20.0

T06N R05W S23 NESE 40.0

T06N R05W S23 NWSE 40.0

T06N R05W S23 SWSE 20.0

T06N R05W S24 NWNW 40.0

T06N R05W S24 SWNW 40.0

T06N R05W S24 NWSW 20.0

~~T06N R05W S23 NESE 23.0~~

~~T06N R05W S24 NWNW 18.0~~

~~T06N R05W S24 SWNW 7.0~~

1340 ACRES TOTAL

~~990 ACRES TOTAL~~

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Failure of the right holder to comply with the conditions of Transfer 77052 ~~71619~~ is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 77052 ~~71619~~ within one year of the date of the approval.

~~Stockwater use is for 16,598 dairy cattle.~~

~~Prior to diversion of water under Transfer ~~71619~~, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.~~