

**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: 63-7177
Case No. 39576	)	
	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
	)	PROCEEDING

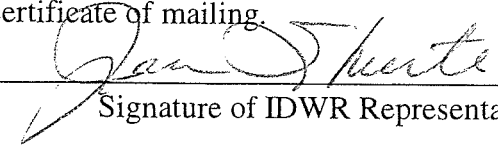
IDWR has completed the following administrative proceeding:

- ☐ 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
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

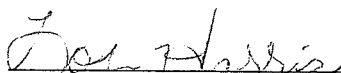
3. Copies to all parties to the subcase:

Basin & Range Resource Company LLC
c/o Dorothy Timian Palmer
3480 G S Richards Blvd #101
Carson City NV 89703

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

Dana Hofstetter
608 W Franklin
Boise ID 83702

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



Signature of person mailing this document

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

RIGHT NUMBER: 63-7177

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:

4.700 CFS

1,570.500 AFY

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 63-3182, 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, 63-7349 and 63-7177 when combined shall not exceed a total diversion rate of 10.54 cfs.~~

PRIORITY DATE: 12/12/1968

POINT OF DIVERSION:

T06N R05W S22 SESW
Within PAYETTE County

T06N R05W S23 SWNE
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.

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/01 10/31	4.700 CFS 1,570.50 AFY

The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 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 continue to as late as November 15, provided other elements of the right are not exceeded. The use of water 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	within PAYETTE County
<u>T06N R05W S13 SWSW 40.0</u>	
<u>T06N R05W S14 SWSW 40.0</u>	
<u>T06N R05W S14 SESW 40.0</u>	
<u>T06N R05W S14 SWSE 40.0</u>	
<u>T06N R05W S14 SESE 40.0</u>	
<u>T06N R05W S15 SESE 40.0</u>	~~T06N R05W S15 SESE 39.0~~
<u>T06N R05W S22 NENE 40.0</u>	
<u>T06N R05W S22 NWNE 40.0</u>	~~T06N R05W S22 NWNE 39.0~~
<u>T06N R05W S22 SWNE 40.0</u>	~~T06N R05W S22 SWNE 35.0~~
<u>T06N R05W S22 SENE 40.0</u>	
<u>T06N R05W S22 NENW 40.0</u>	~~T06N R05W S22 NENW 39.0~~
<u>T06N R05W S22 SENW 40.0</u>	~~T06N R05W S22 SENW 39.0~~
<u>T06N R05W S22 NESW 40.0</u>	~~T06N R05W S22 NESW 39.0~~
<u>T06N R05W S22 SESW 40.0</u>	~~T06N R05W S22 SESW 39.0~~
<u>T06N R05W S22 NESE 40.0</u>	
<u>T06N R05W S22 NWSE 40.0</u>	
<u>T06N R05W S22 SWSE 40.0</u>	
<u>T06N R05W S22 SESE 40.0</u>	
<u>T06N R05W S23 NENE 40.0</u>	
<u>T06N R05W S23 NWNE 40.0</u>	
<u>T06N R05W S23 SWNE 40.0</u>	
<u>T06N R05W S23 SENE 40.0</u>	
<u>T06N R05W S23 NENW 40.0</u>	
<u>T06N R05W S23 NWNW 40.0</u>	
<u>T06N R05W S23 SWNW 40.0</u>	
<u>T06N R05W S23 SENW 40.0</u>	
<u>T06N R05W S23 NESW 40.0</u>	
<u>T06N R05W S23 NWSW 40.0</u>	
<u>T06N R05W S23 SESW 20.0</u>	
<u>T06N R05W S23 NESE 40.0</u>	
<u>T06N R05W S23 NWSE 40.0</u>	
<u>T06N R05W S23 SWSE 20.0</u>	
<u>T06N R05W S24 NWNW 40.0</u>	
<u>T06N R05W S24 SWNW 40.0</u>	
<u>T06N R05W S24 NWSW 20.0</u>	

1340 ACRES TOTAL

~~349 ACRES TOTAL~~

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.

This right is limited to the irrigation of 349 acres within the authorized place of use in a single irrigation season.

~~This water right does not authorize the use of federal public lands.~~

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

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

The right holder shall accomplish the change authorized by Transfer 77052 ~~77499~~ within one year of the date of the approval.

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

The right holder shall maintain a measuring device of a type approved by the Department as a part of the diverting works.

After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

~~The following rights are diverted through the point of diversion located in the SWSE, S23, T06N, R05W: 63-3308, 63-3583, 63-7177 & 63-7349~~