

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

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Water Rights: 29-7391

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

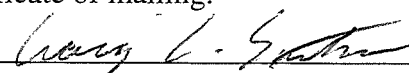
- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other

XX 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: 12/13/12



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 13, 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:

Erma Banks
3229 Banks Rd
Bancroft ID 83217

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

☐ 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: 29-7391

NAME AND ADDRESS:

ERMA M BANKS
3229 BANKS RD
BANCROFT ID 83217

SOURCE:

Source:

UNNAMED DRAIN

Tributary:

PORTNEUF RIVER

QUANTITY:

2.900 CFS

~~3.820 CFS~~

Rights 29-10 and 29-7391 when combined shall not exceed a total diversion rate of 3.81 cfs and the irrigation of 190.4 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 05/05/1977

~~THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.~~

POINT OF DIVERSION:

T06S R39E S19 SESW
Within CARIBOU County

~~T06S R39E S19 SWSESW~~
~~Within CARIBOU County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	<u>04/01 10/31</u>	<u>2.900 CFS</u>
	~~4/01 11/01~~	~~3.820 CFS~~

PLACE OF USE:

IRRIGATION within CARIBOU County

<u>T06S R38E S24 Lot 1 NENE</u>	<u>4.0</u>	
<u>T06S R38E S24 Lot 2 SENE</u>	<u>14.0</u>	
<u>T06S R39E S19 SWNE</u>	<u>22.0</u>	<u>14.0</u>
<u>T06S R39E S19 NENW</u>	<u>6.8</u>	
<u>T06S R39E S19 Lot 1 NWNW</u>	<u>6.8</u>	
<u>T06S R39E S19 Lot 2 SWNW</u>	<u>40.0</u>	
<u>T06S R39E S19 SENW</u>	<u>40.0</u>	
<u>T06S R39E S19 NESW</u>	<u>28.0</u>	<u>40.0</u>
<u>T06S R39E S19 Lot 3 NWSW</u>	<u>16.0</u>	<u>26.0</u>
~~<u>T06S R39E S19 Lot 4 SWSW</u>~~	~~<u>5.0</u>~~	
<u>T06S R39E S19 SESW</u>	<u>11.0</u>	<u>26.0</u>
<u>T06S R39E S19 SWSE</u>	<u>1.8</u>	
~~<u>T06S R39E S30 NWNE</u>~~	~~<u>40.0</u>~~	
~~<u>T06S R39E S30 SWNE</u>~~	~~<u>40.0</u>~~	

190.4 191.0 ACRES TOTAL

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall maintain a measuring device of a type acceptable to the Department, in the drain constructed between May 20, 1971 and December 1, 1982. This drain is the source of water for this 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.

Diversion of water pursuant to this right shall not exceed the amount of water measured in the source drain.

~~Use of water under this right is subject to control by the watermaster of State Water District No. 29.~~

~~THE APPLICANT MUST INSTALL AND MAINTAIN ADEQUATE MEASURING DEVICES AT LOCATIONS ACCEPTABLE TO THE DEPT. IN THE OLD EXISTING DRAIN, THE DRAIN HE-RECENTLY CONSTRUCTED AND ANY FUTURE DRAINS THAT MAY BE INSTALLED.~~

~~ANY WATER DIVERTED UNDER THIS RT. MUST BE DEVELOPED THROUGH A DRAINAGE-SYSTEM CONSTRUCTED BETWEEN MAY 20, 1971 AND DECEMBER 1, 1982.~~

~~ANY PUMP INSTALLED UNDER THIS RIGHT MUST BE SO LOCATED AS TO ASSURE NO-WATER WILL BE DIVERTED FROM ANY DRAIN EXISTING PRIOR TO MAY 20, 1971, OR-FROM THE PORTNEUF RIVER.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

BASIS OF CLAIM - Permit

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.