

1-22

**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     | ) | <b>Water Rights: 36-7824</b> |
| Case No. 39576 | ) |                              |
|                | ) |                              |
|                | ) | <b>NOTICE OF COMPLETED</b>   |
|                | ) | <b>ADMINISTRATIVE</b>        |
|                | ) | <b>PROCEEDING</b>            |

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IDWR has completed the following administrative proceeding:

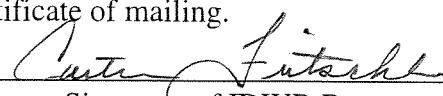
- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
  - ☐ Point of diversion      ☐ Place of use
  - ☐ Period of use              ☐ Nature of use
  - ☐ Split of water right      ☐ Change in ownership
  - ☐ Other

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:    1 - 17 - 13

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on January 18, 2013, 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

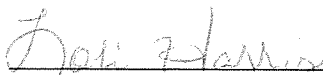
☒ hand-delivered

### 3. Copies to all parties to the subcase:

Mantech Inc  
c/o Richard N Greene  
1400 S Foothill Dr Ste B25  
Salt Lake City UT 84108

☐ 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: 36-7824

NAME AND ADDRESS:

~~B-C HYDRO LTD~~  
~~C/O RICHARD N GREENE~~  
~~1400 S FOOTHILL DR B25~~  
~~SALT LAKE CITY UT 84108~~  
  
MANTECH INC  
C/O RICHARD N GREENE  
1400 S FOOTHILL DR STE B25  
SALT LAKE CITY UT 84108

SOURCE:

Source:

Tributary:

BOX CANYON CREEK  
BOX CANYON SPRING

SNAKE RIVER

QUANTITY:

300.000 CFS  
217,193.300 AFY

Rights 36-07040, 36-08080 and 36-07824 when combined shall not exceed a total diversion rate of 300.0 cfs and a total annual maximum diversion volume of 217193.3 af.

PRIORITY DATE:

07/07/1979  
~~09/13/1978~~

The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

POINT OF DIVERSION:

T08S R14E S28 SWNE  
Within GOODING County  
  
~~T08S R14E S28 SENE~~  
~~Within GOODING County~~

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

POWER

01/01 12/31

300.000 CFS 217,193.30 AFY

Use of water under this right shall be non-consumptive.

PLACE OF USE:

POWER within TWIN FALLS County  
T08S R14E S28 Lot 3 SWNW  
T08S R14E S28 Lot 4 NESW

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

Use of water under this right may be affected by an agreement between the right holder of this right and the right holders of Rights 36-07040 and 36-08080.

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.

The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after June 12, 2020. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

~~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.~~

EXPLANATORY MATERIAL:      BASIS OF CLAIM - License                      Permit

Rights 36-07040 and 36-08080 are also diverted through the point of diversion described above.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

~~POWER — 2 GENERATORS~~