

**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: 37-7454, 37-7602

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

XX IC § 42-222 transfer

☐ Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

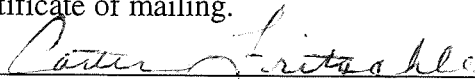
XX Quantity XX Remarks & Conditions

☐ 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: 4-1-14



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 1, 2014, 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:

The Alton & Paula Huyser Trust
PO Box 741
Shoshone ID 83352

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

Dana Hofstetter
608 W Franklin St
Boise ID 83702-5509

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



Signature of person mailing this document

03/31/2014

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

RIGHT NUMBER: 37-7454

NAME AND ADDRESS: ~~IRIS B HUBSMITH~~
~~LOUIS L HUBSMITH~~
~~647 E 130 S~~
~~DIETRICH ID 83324~~

THE ALTON & PAULA HUYSER TRUST
ALTON L HUYSER TTEE
PAULA J HUYSER TTEE
PO BOX 741
SHOSHONE ID 83352

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of
ground
water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: ~~4.00~~ 3.94 CFS
~~800.0~~ 788.0 AFY

Use of this right with Right No. 37-7602 shall be limited to a total combined diversion rate of 5.09 cfs.

Rights 37-7268, 37-7454, and 37-7602 when combined shall not exceed a total diversion rate of 6.20 cfs.

Rights 37-7268, 37-7454, 37-7602 and 37-8679 when combined shall not exceed a total diversion rate of 6.28 cfs and a total annual maximum diversion volume of 1956.0 af.

Rights 37-7268 and 37-7454 when combined shall not exceed a total diversion rate of 5.09 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/08/1975

POINT OF
DIVERSION: T06S R19E S30 SENWNE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	~~4.00~~ <u>3.94</u> CFS ~~800.0~~ <u>788.0</u> AFY

PLACE OF USE: IRRIGATION in LINCOLN County

<u>T06S R19E S19 Lot 7 NESW</u>	<u>32.00</u>	<u>T06S R19E S19 Lot 8 NWSW</u>	<u>31.00</u>
<u>T06S R19E S19 Lot 11 SWSW</u>	<u>18.00</u>	<u>T06S R19E S19 Lot 12 SESW</u>	<u>36.00</u>
<u>T06S R19E S30 NENE</u>	<u>~~39.0~~ 32.0</u>	<u>T06S R19E S30 NWNE</u>	<u>39.00</u>
<u>T06S R19E S30 SWNE</u>	<u>40.00</u>	<u>T06S R19E S30 Lot 1 NENW</u>	<u>39.00</u>
<u>T06S R19E S30 Lot 2 NWNW</u>	<u>32.00</u>	<u>T06S R19E S30 Lot 5 SWNW</u>	<u>4.00</u>
<u>T06S R19E S30 Lot 6 SENW</u>	<u>40.00</u>	<u>T06S R19E S30 Lot 7 NESW</u>	<u>40.00</u>
<u>T06S R19E S30 Lot 12 SESW</u>	<u>~~40.0~~ 33.0</u>	<u>T06S R19E S30 NWSE</u>	<u>40.00</u>
<u>T06S R19E S30 SWSE</u>	<u>~~37.0~~ 33.0</u>		
<u>200.0 489.0 ACRES TOTAL</u>			

This right is limited to the irrigation of 197 acres within the authorized place of use in a single irrigation season.

Rights 37-7268, 37-7454, 37-7602 and 37-8679 when combined shall not exceed the irrigation of 489.0 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 - License

Failure of the right holder to comply with the conditions of Transfer No. 70444 is cause for the Director to rescind approval of the transfer.

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. 130.

The right holder shall accomplish the change authorized by Transfer No. 70444 by June 25, 2011.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Prior to the diversion and use of water under Transfer approval 70444, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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

RIGHT NUMBER: 37-7602

NAME AND ADDRESS: ~~IRIS B HUBSMITH~~
~~LOUIS L HUBSMITH~~
~~647 E 130 S~~
~~DIETRICH ID 83324~~

THE ALTON & PAULA HUYSER TRUST
ALTON L HUYSER TTEE
PAULA J HUYSER TTEE
PO BOX 741
SHOSHONE ID 83352

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: ~~0.70~~ 2.62 CFS
~~140.0~~ 524.0 AFY

Use of this right with Right No. 37-7454 shall be limited to a total combined diversion rate of 5.09 cfs.

Rights 37-7268, 37-7454, 37-7602 and 37-8679 when combined shall not exceed a total diversion rate of 6.28 cfs and a total annual maximum diversion volume of 1956.0 af.

Rights 37-7268, 37-7454, and 37-7602 when combined shall not exceed a total diversion rate of 6.20 cfs.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/04/1977

POINT OF

DIVERSION: T06S R19E S30 SENWNE Within LINCOLN County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	~~0.70~~ 2.62 CFS ~~140.0~~ 524.0 AFY

PLACE OF USE: IRRIGATION in LINCOLN County

<u>T06S R19E S19 Lot 7 NESW 32.00</u>	<u>T06S R19E S19 Lot 8 NWSW 31.00</u>
<u>T06S R19E S19 Lot 11 SWSW 18.00</u>	<u>T06S R19E S19 Lot 12 SESW 36.00</u>
<u>T06S R19E S30 NENE 32.00</u>	<u>T06S R19E S30 NWNE 39.00</u>
<u>T06S R19E S30 SWNE 40.00</u>	<u>T06S R19E S30 Lot 1 NENW 39.00</u>
<u>T06S R19E S30 Lot 2 NWNW ~~35.0~~ 32.0</u>	<u>T06S R19E S30 Lot 5 SWNW 4.00</u>
<u>T06S R19E S30 Lot 6 SENW 40.00</u>	<u>T06S R19E S30 Lot 7 NESW 40.00</u>
<u>T06S R19E S30 Lot 12 SESW 33.00</u>	<u>T06S R19E S30 NWSE 40.00</u>
<u>T06S R19E S30 SWSE 33.00</u>	

~~35.0~~ 489.0 ACRES TOTAL

This right is limited to the irrigation of 131 acres within the authorized place of use in a single irrigation season.

Rights 37-7268, 37-7454, 37-7602 and 37-8679 when combined shall not exceed the irrigation of 489.0 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 - License

Failure of the right holder to comply with the conditions of Transfer No. 70444 is cause for the Director to rescind approval of the transfer.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Prior to the diversion and use of water under Transfer approval 70444, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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. 130.

The right holder shall accomplish the change authorized by Transfer No. 70444 by June 25, 2011.