

COPY

2000 JUN 23 PM 1: 56

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	SUBCASE NO. 72-10220,
	)	72-10220A, 72-10220B
Case No. 39576	)	AMENDED
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

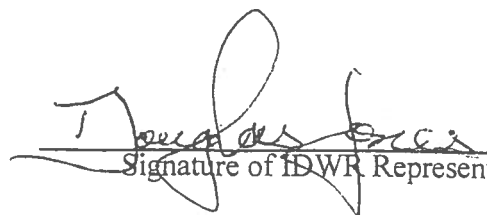
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

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 Reports* for said water rights. 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: 6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
John Abatti
Carol Abatti
HC 68 Box 290
Clayton ID 83227
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
US Dept of Interior
Bureau of Land Management
Rt 2 Box 610
Salmon ID 83467
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: JUN-21-2000

PAGE: A-7

RIGHT NUMBER: 72-10220

SPLIT RIGHT: SEE RIGHT NOS. 72-10220A AND 72-10220B.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-21-2000
PAGE: A-8

RIGHT NUMBER: 72-10220A

NAME & ADDRESS: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 5.88 CFS
929.6 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A,
72-10221A, 72-10222A AND 72-10237A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A,
72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
SESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	5.88 CFS
			929.6 AFY

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T11N R18E S26	SWNW 21	NESW 40	NWSW 28	SWSW 31
		SESW 28.8			
	S27	SENE 24	NESE 27	SESE 5	
	S35	SWNE 12	NENW 35	NWNW 14	SWNW 0.3
		SENW 28			
	294.1 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 265.6 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND
72-10237A.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-9

RIGHT NUMBER: 72-10220A (CONT)

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 - DECREE

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-10

RIGHT NUMBER: 72-10220B

NAME & ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.12 CFS
18.9 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.18 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 20.7 AF. COMBINED RIGHT NOS.: 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A,
72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
SESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.12 CFS 18.9 AFY

PLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S26 NWSE 3.1 SWSE 4.8
S35 Lot 2 (NWNE) 2
9.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-10220B, 72-10221B, 72-10222B AND
72-10237B.

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

AJ5856NP

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

DATE: JUN-21-2000

PAGE: A-11

RIGHT NUMBER: 72-102208 (CONT)

OTHER PROVISIONS: (CONT)

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 - DECREE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA Claim(s) 72-10220, 72-10221, 72-10222, 72-10237

Dear Claimant:

Please find the enclosed copy of the Amended Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Bureau of Land Management

RECEIVED

JUN 13 2000

Department of Water Resources
Southern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

This is to certify that: JOHN ABATTI & US DEPT OF INTERIOR
CAROL ABATTI BUREAU OF LAND MANAGEMENT
HC 68 BOX 290 RT 2 BOX 610
CLAYTON ID 83227 SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

JOHN & CAROL ABATTI

Right Nos. 72-07505A/72-10220A/72-10221A/72-10222A/72-10237A :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220A :			
IRRIGATION	04/01 to 10/31	5.88 CFS	929.6 AF
Priority: 05/10/1880			
Right No. 72-10221A :			
IRRIGATION	04/01 to 10/31	0.79 CFS	333.8 AF
Priority: 05/01/1936			
Right No. 72-10222A :			
IRRIGATION	04/01 to 10/31	0.29 CFS	40.6 AF
Priority: 05/01/1885			
Right No. 72-10237A :			
IRRIGATION	04/01 to 10/31	2.10 CFS	367.5 AF
Priority: 06/28/1983			
		* 9.06 CFS	1015.3 AF *
Right No. 72-07505A :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
		9.14 CFS	1029.3 AF

TRANSFER NO. 5305
 WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
 72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

US DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT
 Right Nos. 72-07505B/72-10220B/72-10221B/72-10222B/72-10237B :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220B :			
IRRIGATION	04/01 to 10/31	0.12 CFS	18.9 AF
Priority: 05/10/1880			
Right No. 72-10221B :			
IRRIGATION	04/01 to 10/31	0.01 CFS	4.2 AF
Priority: 05/01/1936			
Right No. 72-10222B :			
IRRIGATION	04/01 to 10/31	0.01 CFS	1.4 AF
Priority: 05/01/1885			
Right No. 72-10237B :			
IRRIGATION	04/01 to 10/31	0.04 CFS	7.0 AF
Priority: 06/28/1983			
		<u>** 0.18 CFS</u>	<u>20.7 AF **</u>
Right No. 72-07505B :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
		<u>0.26 CFS</u>	<u>34.7 AF</u>
TRANSFER TOTAL:		<u>*** 9.40 CFS</u>	<u>1064.0 AF ***</u>

SOURCE

SALMON RIVER, EAST FORK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 11N, Range 18E
 SESW , Sec. 26, Township 11N, Range 18E
 CUSTER County

TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

JOHN & CAROL ABATTI

Right Nos. 72-07505A/72-10220A/72-10221A/72-10222A/72-10237A :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	SWNW 21.0	NESW 40.0	NWSW 28.0	
			SWSW 31.0	SESW 28.8		148.8
		27	SENE 24.0	NESE 27.0	SESE 5.0	56.0
		35	SWNE 12.0	NENW 35.0	NWNW 14.0	
			SWNW 0.3	SENW 28.0		89.3
Total number of acres irrigated:						294.1 (*A)

US DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT

Right Nos. 72-07505B/72-10220B/72-10221B/72-10222B/72-10237B :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	NWSE 3.1	SWSE 4.8		7.9
		35	Lot 2 (NWNE) 2.0			2.0
Total number of acres irrigated:						9.9 (*B)

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, 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.
6. The total instantaneous diversion of water from all points of diversion under Transfer 5305 shall not exceed 9.40 cfs, nor a total combined annual volume of 1064.0 af.
7. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre when water is applied through a sprinkler system.
8. After specific notification by the department, the right holder shall measure the diversion 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.

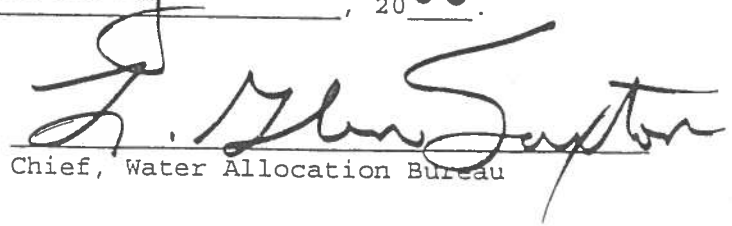
TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

CONDITIONS OF APPROVAL AND REMARKS

- (*A) 9. Right 72-07505A is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- (*A) 10. Right 72-10220A is limited to the irrigation of 265.6 acres in the place of use described above in a single irrigation season.
- (*A) 11. Right 72-10221A is limited to the irrigation of 265.1 acres in the place of use described above in a single irrigation season.
- (*A) 12. Right 72-10222A is limited to the irrigation of 11.6 acres in the place of use described above in a single irrigation season.
- (*A) 13. Right 72-10237A is limited to the irrigation of 105.0 acres in the place of use described above in a single irrigation season.
- * 14. Rights 72-10220A, 72-10221A, 72-10222A and 72-10237A when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 1015.3 af at the field headgate, and the irrigation of 290.1 acres.
- (*B) 15. Right 72-07505B is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- (*B) 16. Right 72-10220B is limited to the irrigation of 5.4 acres in the place of use described above in a single irrigation season.
- (*B) 17. Right 72-10221B is limited to the irrigation of 5.9 acres in the place of use described above in a single irrigation season.
- (*B) 18. Right 72-10222B is limited to the irrigation of 0.4 acres in the place of use described above in a single irrigation season.
- (*B) 19. Right 72-10237B is limited to the irrigation of 2.0 acres in the place of use described above in a single irrigation season.
- ** 20. Rights 72-10220B, 72-10221B, 72-10222B and 72-10237B when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 20.7 af at the field headgate, and the irrigation of 5.9 acres.
- 21. The period of use for the irrigation under Right 72-07505A and 72-07505B may be extended to a beginning date of 04-01 and an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04-15 and after 10-15 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.

Dated this 18 day of May, 2000.


Chief, Water Allocation Bureau

COPY

200 MAR 22 PM 2:58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 72-10220, 72-10220A
and 72-10220B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☒ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☒ Yes ☐ No

Water Right(s): 72-10220, 72-10220A and 72-10220B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

PAGE

From (Claimant/Seller):

Water Right Number: 72-10220

Name of Claimant: JOHN ABATTI
CAROL ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
Phone: (208) 838-2684

To (Claimant/Purchaser):

Water Right Number: 72-10220A

Name of Claimant: JOHN ABATTI
CAROL ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
Phone: (208) 838-2684

Water Right Number: 72-10220B

Name of Claimant: US DEPT OF INTERIOR
Address: BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467
Phone: (208) 756-5400

I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water rights 72-10220, 72-10220A and 72-10220B and all appeal times have run. The following changes have been made to the water rights:

☒	Point of Diversion	☒	Place of Use
☐	Period of Use	☐	Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

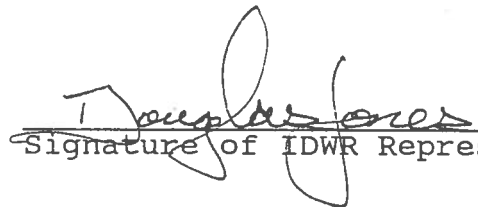
PAGE 2

COPI 1

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 Reports for said water rights. 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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 21, 2000


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/22/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467
4. One Copy to:
Each party in the subcase, or attorney of record:

R LEE LEININGER
550 W FORT ST MSC 033
BOISE ID 83724
5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

PAGE 4

6. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the fo:

AJ5859NP

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

DATE: MAR-21-2000

PAGE: A-1

RIGHT NUMBER: 72-10220

SPLIT RIGHT: SEE RIGHT NOS. 72-10220A AND 72-10220B.

DATE: MAR-21-2001
PAGE: A-1

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

AJ5856NP

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

DATE: MAR-21-200

PAGE: A-2

RIGHT NUMBER: 72-10220A (CONT)

OTHER PROVISIONS (CONT)

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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 RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5350 BY MARCH 6, 2001.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: MAR-21-2001

PAGE: A-3

RIGHT NUMBER: 72-10220B

NAME & ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.12 CFS

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T10N R18E S01 Lot 4 (NWNWNW) Within CUSTER County
T11N R18E S35 SWSWNE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.12 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S26 NWSE 3.1 SWSE 0.8
S35 Lot 2 (NWNE) 2
5.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-10220B, 72-10221B, 72-10222B AND
72-10237B.

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 - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION
DESCRIBED ABOVE: 72-10220B, 72-10221B, 72-10222B AND 72-10237B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL ABATTI
JOHN ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA Claim(s) 72-10220, 72-10221, 72-20222, 72-10237

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: BLM - Salmon
US Dept of Justice
Idaho Attorney General

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5305
WATER RIGHT NO(S) . 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

RECEIVED

MAR 08 2000

Department of Water Resources
Southern Region

This is to certify that: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220A :			
IRRIGATION	04/01 to 10/31	5.88 CFS	929.6 AF
Priority: 05/10/1880			
Right No. 72-10221A :			
IRRIGATION	04/01 to 10/31	0.79 CFS	333.8 AF
Priority: 05/01/1936			
Right No. 72-10222A :			
IRRIGATION	04/01 to 10/31	0.29 CFS	40.6 AF
Priority: 05/01/1885			
Right No. 72-10237A :			
IRRIGATION	04/01 to 10/31	2.10 CFS	367.5 AF
Priority: 06/28/1983			
	SUBTOTAL:	* 9.06 CFS	* 1015.3 AF
Right No. 72-07505A :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
	TOTAL:	** 9.14 CFS	** 1029.3 AF

SOURCE

SALMON RIVER, EAST FORK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 11N, Range 18E
SESW , Sec. 26, Township 11N, Range 18E
CUSTER County

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	SWNW 21.0	NESW 40.0	NWSW 28.0	
			SWSW 31.0	SESW 28.8		148.8
		27	SENE 24.0	NESE 27.0	SESE 5.0	56.0
		35	SWNE 12.0	NENW 35.0	NWNW 14.0	
			SWNW 0.3	SENW 28.0		89.3
Total number of acres irrigated:						* 294.1 ***

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, 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.
- ** 6. The total instantaneous diversion of water from all points of diversion under Transfer 5305 shall not exceed 9.14 cfs, nor a total combined annual volume of 1029.3 af.
7. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre when water is applied through a sprinkler system.
8. After specific notification by the department, the right holder shall measure the diversion 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.
- *** 9. Right 72-07505A is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 72-10220A is limited to the irrigation of 265.6 acres in the place of use described above in a single irrigation season.
- *** 11. Right 72-10221A is limited to the irrigation of 265.1 acres in the place of use described above in a single irrigation season.
- *** 12. Right 72-10222A is limited to the irrigation of 11.6 acres in the place of use described above in a single irrigation season.

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

CONDITIONS OF APPROVAL AND REMARKS

- *** 13. Right 72-10237A is limited to the irrigation of 105.0 acres in the place of use described above in a single irrigation season.
- * 14. Rights 72-10220A, 72-10221A, 72-10222A and 72-10237A when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 1015.3 af at the field headgate, and the irrigation of 290.1 acres.
12. The period of use for the irrigation under Right 72-07505A may be extended to a beginning date of 04-01 and an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04-15 and after 10-15 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.

Dated this 6th day of March, 2000.


Chief, Water Allocation Bureau

Overview T5305

WR	AJ	
72-00220	72-10220	(A) Abatti
72-00222		(B) BLM
72-00221	72-10221	(A)
72-00222		(B)
72-00234	72-10222	(A)
72-04176		(B)
72-07284	72-10237	(A)
72-07285		(B)
	↑	As recommended to court
72-07505	NA	(A)
		(B)

Ownership splits each rt. Parts A+B.

(A)s = Abatti (B)s = BLM

Under "X" prefixes on WR database except
licensed rt. 72-7505 (no prefix).

Twice Amended app. proposed before split.

Transfer Approval prepared after split

* Send copies of both transfer approval &
Part (B)s to both Abatti & BLM.