

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

RIGHT NUMBER: 63-33289

NAME AND ADDRESS: JOYCE TROOST
30540 SABIN RD
PARMA ID 83660

GREGORY TROOST
30540 SABIN RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.510 CFS
171.000 AFY

Rights 63-3307, 63-8244, 63-8387, 63-33289 and 63-33291 when combined shall not exceed a total diversion rate of 9.52 cfs, a total annual maximum diversion volume of 2209.5 af at the field headgate, and the irrigation of 491 acres.

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 lands above.

PRIORITY DATE: 11/01/1955

POINT OF DIVERSION:

T06N R05W S26 SWNW Within PAYETTE County

T06N R05W S26 SWSW Within PAYETTE County

T06N R05W S26 SWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.510 CFS
171.00 AFY

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S26	SWNE	40.00	T06N R05W S26	SENE	40.00
T06N R05W S26	SWNW	40.00	T06N R05W S26	SENW	40.00
T06N R05W S26	NESW	40.00	T06N R05W S26	NWSW	40.00
T06N R05W S26	SWSW	40.00	T06N R05W S26	SESW	40.00
T06N R05W S26	NESE	40.00	T06N R05W S26	NWSE	40.00
T06N R05W S26	SWSE	40.00	T06N R05W S26	SESE	40.00
T06N R05W S35	NENE	40.00	T06N R05W S35	NWNE	40.00
T06N R05W S35	NENW	40.00	T06N R05W S35	NWNW	40.00

640 ACRES TOTAL

This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

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

This right is a split from former right 63-3065.

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Right Nos. 63-3307, 63-8244, 63-8387, 63-33289 and 63-33291 are diverted through the points of diversion described above.

The right holder shall accomplish the change authorized by Transfer 73902 within one year of the date of the approval.

**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: 63-3065 (Split)
	)	63-33289, 63-33291
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

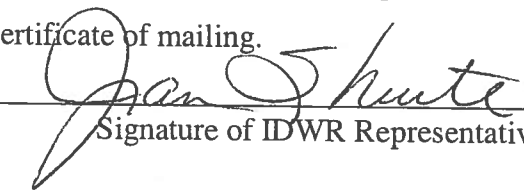
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - XX Split of water right ☐ Change in ownership
 - ☐ Other-Conditions & Remarks
- ☐ 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: 4/29/10



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 30, 2010, 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

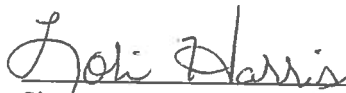
☒ hand-delivered

3. Copies to all parties to the subcase:

Gregory Troost
Joyce Troost
30540 Sabin Rd
Parma ID 83660

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

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



Signature of person mailing this document

WATER RIGHT NO. 63-33289
As Modified by Transfer No. 73902

In accordance with the approval of Transfer No. 73902, Water Right No. 63-33289 is now described as follows.

Right Holder: JOYCE OR GREGORY TROOST
 30540 SABIN RD
 PARMA ID 83660

Priority Date: November 01, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.51 CFS	171.0 AF
			0.51 CFS	171.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 26 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	SWSW	Sec. 26 Twp 06N	Rge 05W PAYETTE County
GROUND WATER	SWSE	Sec. 26 Twp 06N	Rge 05W PAYETTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	26			40.0	40.0			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	480.0
06N	05W	35	40.0	40.0			40.0	40.0											160.0

Total Acres: 640

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

WATER RIGHT NO. 63-33289
As Modified by Transfer No. 73902

CONDITIONS OF APPROVAL

6. Rights 63-3307, 63-8244, 63-8387, 63-33289 and 63-33291 when combined shall not exceed a total diversion rate of 9.52 cfs, a total annual maximum diversion volume of 2209.5 af at the field headgate, and the irrigation of 491 acres.
7. 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 lands above.
8. Right Nos. 63-3307, 63-8244, 63-8387, 63-33289 and 63-33291 are diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 31st day of December, 2009


John Westra, Western Regional Manager

