

COPY

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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:	36-15259, 36-15259A,
	)		37-8909
Case No. 39576	)		
	)	NOTICE OF COMPLETED	
_____	)	ADMINISTRATIVE PROCEEDING	

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

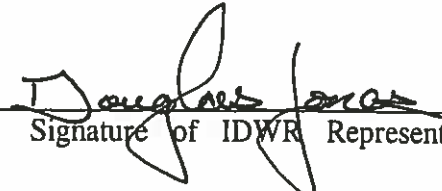
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ 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: 3/27/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/11, 2002, 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:
Allen D Lee
JoRene Lee
144 Seminole Cir
Jerome ID 83338
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Keith Soderquist
Christie Soderquist
22295 Kimberly Rd
Kimberly ID 83341
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 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

1/29/02

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

RIGHT NUMBER: 36-15259

SPLIT RIGHT: SEE RIGHT NOS. 36-15259A AND 37-8909.

01/29/2002

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

RIGHT NUMBER: 36-15259A

NAME AND ADDRESS: CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

KEITH SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-14928A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.53 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 880 AF.

PRIORITY DATE: 03/15/1974

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF
DIVERSION:

T07S R17E S5 NWSESW Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.210 CFS

PLACE OF USE: IRRIGATION Within JEROME County

T06S R16E S36	SWSE	11.6	T06S R16E S36	SESE	24.4
T07S R17E S05 Lot 4	SNNW	40.0	T07S R17E S05 Lot 3	SENE	12.0
T07S R17E S05	NESW	10.0	T07S R17E S05	NWSW	39.0
T07S R17E S05	SWSW	7.0	T07S R17E S06 Lot 1	SENE	37.0
T07S R17E S06	NESE	39.0			

220 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-14928A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 220 ACRES 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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-14928A
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 36-14928A IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

01/29/2002

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

RIGHT NUMBER: 37-8909

NAME AND ADDRESS: KEITH SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
4.20 AFY

USE OF THIS RIGHT WITH RIGHT NO. 37-8908 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .20 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 51.0 AF.

PRIORITY DATE: 03/15/1974

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF
DIVERSION:

T06S R16E S36 SESE Within LINCOLN County
2 POINTS OF DIVERSION LOCATED IN T06S, R16E, S36, SESE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 4.20 AFY

PLACE OF USE: STOCKWATER Within LINCOLN County

T06S R16E S36 SWSE T06S R16E S36 SESE

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.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 37-8908 PURSUANT
TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 37-8908 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-14928.



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

April 11, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KEITH SODERQUIST
CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

RE: SRBA Claim(s) 36-14928, 36-15259

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: Allen and JoRene Lee

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5581
WATER RIGHT NO(S) ~~36-14928B/36-15259B~~
37-08908 37-08909

RECEIVED

MAY 10 2000

Department of Water Resources
Southern Region

This is to certify that: KEITH SODERQUIST
CHRISTIE SODERQUIST
22295 KIMBERLY RD
KIMBERLY ID 83341

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. 36-14928B :			
STOCKWATER	01/01 to 12/31	0.20 CFS	46.8 AF
Priority: 06/23/1952			
Right No. 36-15259B :			
STOCKWATER	01/01 to 12/31	0.02 CFS	4.2 AF
Priority: 03/15/1974			
	TOTAL:	* 0.20 CFS	* 51.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 36, Township 06S, Range 16E
LINCOLN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 16E 36

SWSE

SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

TRANSFER NO. 5581
WATER RIGHT NO(S). 36-14928B/36-15259B

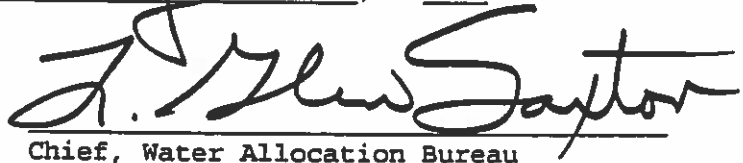
CONDITIONS OF APPROVAL AND REMARKS

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 5581 shall not exceed 0.20 cfs, nor a total combined annual volume of 51.0 af for stockwater use.
7. Right 36-15259B is based on an enlargement of Right 36-14928B pursuant to Section 42-1426, Idaho Code.
8. Right 36-15259B is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. Rights 36-14928B and 36-15259B are diverted from the same two (2) points of diversion located in the SESE, S36, T06S, R16E.
10. Approval of Transfer 5581 does not confirm Claimed Right 36-15259B.

Dated this 9th day of

May

2000


Chief, Water Allocation Bureau

SEP 10 1959

1999 APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other split rights
2. Describe the reason for the proposed changes Convert water from irrigation to stockwater use for a new feedlot to be built on the property

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
36-149288	6-23-1952	0.20/46.8	Stockwater	1-1 to 12-31
36-152598	3-15-1974	0.03/4.2	"	" to "

- Total amount of water being transferred 0.20 cubic feet per second and/or 51.0 acre-feet per annum.
- Source of water Groundwater tributary to _____

. Point(s) of Diversion:

[illegible]

Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Two connected wells & pumps, pipelines to stock troughs

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Feedlot will be built on the land being dried up.

d. Remarks:

Feedlot will serve 4000 beef cattle of various sizes.

The proposed feedlot will cover most of the land we own in Sec. 36, but only 17 acres are being officially dried up at this time. The remaining water may be transferred later as needed.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____