

47-12383  
**COPY**

1999 JUL -1 PM 12: 55

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

**NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDINGS**

SUB CASE NO. 47-12383, 47-16728,  
47-16729, 47-16730, 47-16731, 47-16732,  
47-16733, 47-16734, 47-16735, 47-16736,  
47-16737, 47-16738, 47-16739, 47-16740,  
47-16741, 47-16742, 47-16743, 47-16744,  
47-16745, 47-16746, 47-16747, 47-16748,  
47-16749, 47-16750, 47-16751, 47-16752,  
47-16753

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

**FROM: Claimant/Seller(s):**

Name and Address of Claimant/Seller(s):

Western Stock Growers Association

2391 Rock Creek Rd

Hansen ID 83334

Phone: 423-5066

**TO: Claimant/Purchaser(s):**

Name and Address of Claimant/Purchaser(s):

Western Stock Growers Association et al

2391 Rock Creek Rd

Hansen ID 83334

Phone: 423-5066

Broken Diamond Ranch

c/o Shari Helman

2391 Rock Creek Rd

Hansen ID 83334

Birchie Brown

c/o Taylor Brown

340 W 350 S

Jerome ID 83338

Wallace Brown  
3389 N 3700 E  
Hansen ID 83334

David Crockett  
2678A Rock Creek Rd  
Hansen ID 83334

Kinsey Family LLP  
c/o Wilmoth Kinsey  
3497A E 3000 N  
Kimberly ID 83341

Tom Kunkel  
Rt 3 Hollister  
Twin Falls ID 83301

Mathers Ranch  
3485 E 3100 N  
Kimberly ID 83341

Tugaw Ranches  
c/o Joe Tugaw  
3277 Woodridge Dr  
Twin Falls ID 83301

Williams Inc  
c/o Billy Williams  
3128 N 3200 E  
Twin Falls ID 83301

Williams Properties LLC  
c/o Aaron Williams  
2600 N 2900 E  
Twin Falls ID 83301

William J and Thomas Williams  
c/o Billy Williams  
3128 N 3200 E  
Twin Falls ID 83301

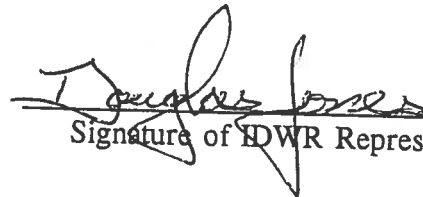
Raymond Butler  
3094A N 3800 E  
Hansen ID 83334

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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.

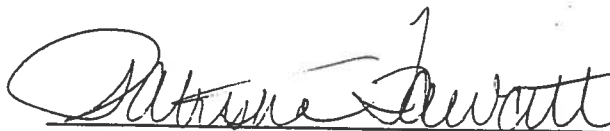
DATED: 7/1/99

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 7-1, 1999, 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:  
Western Stock Growers Assn  
2391 Rock Creek Rd  
Hansen ID 83334
3. One Copy to:  
Claimant/Purchaser for Substitution of Party or attorney of record:  
Western Stock Growers Assn et al  
2391 Rock Creek Rd  
Hansen ID 83334
4. One Copy to:  
Each party in the subcase or attorney of record:  
Norm Semanko  
Rosholt Robertson & Tucker  
PO Box 1906  
Twin Falls ID 83301
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

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-30-1999  
PAGE: A-1

-----  
RIGHTS FROM: SOURCE: ELECTRIC SPRING TRIBUTARY: SINKS  
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RIGHT NUMBER: 47-12383

NAME & ADDRESS: WESTERN STOCK GROWERS ASSOCIATION ET AL  
2391 ROCK CREEK RD  
HANSEN ID 83334DAVID CROCKETT  
2678A ROCK CREEK RD  
HANSEN ID 83334RAYMOND BUTLER  
3094A N 3800 E  
HANSEN ID 83334WALLACE BROWN  
3389 N 3700 E  
HANSEN ID 83334MATHERS RANCH  
3485 E 3100 N  
KIMBERLY ID 83341WILLIAMS PROPERTIES LLC  
C/O AARON WILLIAMS  
2600 N 2900 E  
TWIN FALLS ID 83301WILLIAMS INC  
WILLIAM J & THOMAS WILLIAMS  
C/O BILLY WILLIAMS  
3128 N 3200 E  
TWIN FALLS ID 83301TUGAW RANCHES  
C/O JOE TUGAW  
3277 WOODRIDGE DR  
TWIN FALLS ID 83301BROKEN DIAMOND RANCH  
C/O SHARI HELMAN  
2391 ROCK CREEK RD  
HANSEN ID 83334BIRCHIE BROWN  
C/O TAYLOR BROWN  
340 W 350 S  
JEROME ID 83338KINSEY FAMILY LLP  
C/O WILMOTH KINSEY  
3497A E 3000 N

KIMBERLY ID 83341

TOM KUNKEL  
RT 3 HOLLISTER  
TWIN FALLS ID 83301

AJ5856NP

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

DATE: JUN-30-1999  
PAGE: A-2

RIGHTS FROM: SOURCE: ELECTRIC SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 47-12383 (CONT)

NAME & ADDRESS: (CONT)

SOURCE: PARKER SPRING TRIBUTARY: SINKS  
ELECTRIC SPRING SINKS  
SHEEP SPRING SINKS  
JUNCTION SPRING SINKS

QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/01/1872

POINT OF DIVERSION: T14S R18E S04 WSWENW Within TWIN FALLS County  
T15S R18E S05 SWNNW  
S06 NWNENW  
S27 NWNENE

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|----------------|---------------|----------|
|                | STOCKWATER     | 05-15 10-15   | 0.01 CFS |

PLACE OF USE: STOCKWATER Within TWIN FALLS County  
T14S R18E S04 SENW  
T15S R18E S05 NWNW  
S06 NENW  
S27 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
UP TO 3100 CATTLE  
RP 14S18E043000  
RP 15S18E053000  
RP 15S18E062400  
RP 15S18E270600

**WESTERN STOCKGROWERS ASSN.**

2391 ROCK CREEK ROAD

HANSEN, ID 83334

(208) 423-5066

The name on all Domestic and/or Stockwater Rights in Reporting Area 12, Basin 47 Snake River Basin Adjudication under the name of Western Stockgrowers Association should be amended to read: Western Stockgrowers Association, ET AL.

The Western Stockgrowers Association is made up of 12 local ranches that all have individual grazing permits on the public land in Reporting Area 12, Basin 47 Snake River Basin Adjudication (SRBA).

The members that make up the Stockgrowers Association are as follows:

Broken Diamond Ranch  
c/o Shari Helman  
2391 Rock Creek Road  
Hansen, ID 83334

Birchie Brown  
c/o Taylor Brown  
340 W 350 S  
Jerome, ID 83338

Wallace Brown  
3389 N 3700 E  
Hansen, ID 83334

Raymond Butter  
3094-A N 3800 E  
Hansen, ID 83334

David Crockett  
2678-A Rock Creek Road  
Hansen, ID 83334

Kinsey Family LLP  
c/o Wilmoth Kinsey  
3497-A E 3000 N  
Kimberly, ID 83341

Tom Kunkel  
Route 3, Hollister  
Twin Falls, ID 83301

Mathers Ranch  
3485 E 3100 N  
Kimberly, ID 83341

Tugaw Ranches  
c/o Joe Tugaw  
3277 Woodridge Dr.  
Twin Falls, ID 83301

Williams Inc.  
c/o Billy Williams  
3128 N 3200 E  
Twin Falls, ID 83301

Williams Properties, LLC  
c/o Aaron Williams  
2600 N 2900 E  
Twin Falls, ID 83301

William J. & Thomas Williams  
c/o Billy Williams  
3128 N 3200 E  
Twin Falls, ID 83301



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

July 1, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

WESTERN STOCKGROWERS ASSN ET AL  
2391 ROCK CREEK RD  
HANSEN ID 83334

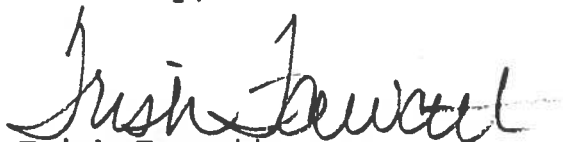
RE: SRBA Claim(s) 47-12383, 47-16728, 47-16729, 47-16730,  
47-16731, 47-16732, 47-16733, 47-16734, 47-16735,  
47-16736, 47-16737, 47-16738, 47-16739, 47-16740,  
47-16741, 47-16742, 47-16743, 47-16744, 47-16745,  
47-16746, 47-16747, 47-16749, 47-16750, 47-16751,  
47-16752, 47-16753

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

/tf

cc: Norm Semanko

47-12383

RECEIVED

APR 15 1999

Department of Water Resources

RECEIVED

APR 22 1999

Department of Water Resources  
Southern Region

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

A Subcase 47-12383

(Insert water right number  
from the Objection Form)

STANDARD FORM 2  
RESPONSE TO OBJECTION

Please print or type the following information:

**B** NAME AND ADDRESS OF PERSON RESPONDING

Name: Western Stockgrowers Association

Address: 2391 Rock Creek Road

Hansen, ID 83334

Daytime Phone: (208) 423-5066

Name & Address of Attorney, if any:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C** NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO  
WHICH YOU ARE RESPONDING

Name: United States of America, Acting through USDA Forest Service

Address: 550 West Fort Street MSC 033

Boise, ID 83724

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

SEE ATTACHMENT

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E.

**VERIFICATION (Must be Completed)**

State of Idaho )  
 )ss.  
County of Twin Falls

Jeff Williams, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Jeff Williams (pres. Western State Growers Ass.)  
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 4-14-99

RECEIVED

Notary Public for

Residing at: Hansen Sta

My Commission Expires: 6-4-2002

## INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### F. CERTIFICATE OF MAILING

I certify that on April 14, 1999, I mailed the original and copies of this response, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

Name: Western Stockgrowers Association  
Address: 2391 Rock Creek Road, Hansen, ID 83334

3. One copy to the party who filed the objection at the following address:

Name: United States of America, Acting through USDA Forest Service  
Address: 550 West Fort Street MSC 033 Boise, ID 83724

4. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724



Your signature or signature of attorney  
mailing on your behalf

Western Stockgrowers Association  
USDA Forest Service

April 13, 1999

## WATER RIGHT CLAIMS

### ATTACHMENT

The Water Right Claims should be decreed in the name of Western Stockgrowers Association for the following reasons:

1. We are the only ones, in the last 127 years, to put the water to beneficial use with our cattle.
2. Members of our Association and their ancestors have been using this water continually since 1872, in fact many of the springs bear their names.
3. We have done the major portion of the work to develop and make the improvements on all springs we have filed on, and the material expenses are from the Range Betterment fund, which comes from our grazing fees.