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DISTRICT COURT
TWIN FALLS CO., IDAHO
FILEDIN 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

SUBCASE NO. 36-07288B 36-07288C,
36-07288DNOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

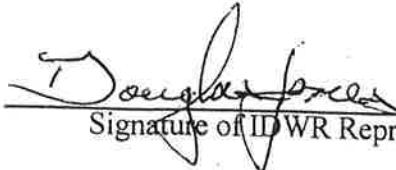
IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

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.

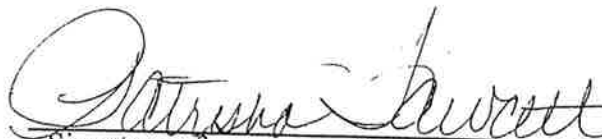
IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/7/00

 Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/12, 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 Beukers
Ruth Beukers
3257 S 2400 E
Jerome ID 83338
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
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-26-2000

PAGE: A-1

RIGHT NUMBER:

36-07288B

SPLIT RIGHT: SEE RIGHT NOS. 36-07288C AND 36-07288D.

AJ5856NP

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

DATE: JUN-26-2000
PAGE: A-3

RIGHT NUMBER: 36-07288C

NAME & ADDRESS: JOHN BEUKERS
RUTH BEUKERS
3257 S 2400 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.38 CFS
876.0 AFY

PRIORITY DATE: 02/28/1973

POINT OF DIVERSION: T08S R16E S20 SWSWNW Within JEROME County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	4.38 CFS
			876.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T08S R16E S17	SESW 34	SWSE 34		
	S20	NENW 33	NWNW 33	SWNW 33	SENW 32
		NESW 20			
	219 ACRES TOTAL				

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

AJ5856NP

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

DATE: JUN-26-2000
PAGE: A-4

RIGHT NUMBER: 36-07288D

NAME & ADDRESS: JOHN BEUKERS
RUTH BEUKERS
3257 S 2400 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 2.24 CFS
448.0 AFY

PRIORITY DATE: 02/28/1973

POINT OF DIVERSION: T08S R16E S19 NESE Within GOODING County

TWO POINTS OF DIVERSION LOCATED IN T08S, R16E, S19, NESE.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	2.24 CFS
	COMMERCIAL	01-01 12-31	197.0 AFY
			2.24 CFS
			251.0 AFY

PLACE OF USE: STOCKWATER Within GOODING County
T08S R16E S19 NESE

COMMERCIAL Within GOODING County
T08S R16E S19 NESE

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



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 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN BEUKERS
RUTH BEUKERS
3257 S 2400 E
JEROME ID 83338

RE: SRBA Claim(s) 36-07288B

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5237
WATER RIGHT NO. 36-07288D

This is to certify that: JOHN BEUKERS
RUTH BEUKERS
3257 S 2400 E
JEROME ID 83338

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>
STOCKWATER	01/01 to 12/31	2.24 CFS	197.0 AF
COMMERCIAL	01/01 to 12/31	2.24 CFS	251.0 AF
	Totals	* 2.24 CFS	* 448.0 AF

SOURCE

GROUNDWATER

Priority: 02/28/1973

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 19, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 19

NESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

TRANSFER NO. 5237
WATER RIGHT NO. 36-07288D

CONDITIONS OF APPROVAL AND REMARKS

3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The remainder of Right 36-07288B is identified as 36-07288C and is limited to a diversion rate of 4.38 cfs, an annual diversion volume of 876.0 af, and irrigation of 219.0 acres each year.
8. The acres which are no longer authorized for irrigation under Right 36-07288C are specifically described as follows:
13.0 acres in SWNE, 33.0 acres each in SENE, NESE and NWSE, S19, T08S, R16E.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5237 shall not exceed 2.24 cfs, nor a total combined annual volume of 448.0 af.
10. Two points of diversion are located within NESE, S19, T08S, R16E.

Dated this 17th day of August, 1998.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

MAR 08 1973

Department of Water Resources
Southern Region

TRANSFER NO. 5237
WATER RIGHT NO. 36-07288D

This is to certify that: JOHN BEUKERS
RUTH BEUKERS
3257 S 2400 E
JEROME ID 83338

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>
STOCKWATER	01/01 to 12/31	2.24 CFS	197.0 AF
COMMERCIAL	01/01 to 12/31	2.24 CFS	251.0 AF
	Totals	* 2.24 CFS	* 448.0 AF

SOURCE

GROUNDWATER

Priority: 02/28/1973

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 19, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATERTWN RGE SEC

08S 16E 19

NESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER useCONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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TRANSFER NO. 5237
WATER RIGHT NO. 36-07288D

CONDITIONS OF APPROVAL AND REMARKS

3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The remainder of Right 36-07288B is identified as 36-07288C and is limited to a diversion rate of 4.38 cfs, an annual diversion volume of 876.0 af, and irrigation of 219.0 acres each year.
8. The acres which are no longer authorized for irrigation under Right 36-07288C are specifically described as follows:
13.0 acres in SWNE, 33.0 acres each in SENE, NESE and NWSE, S19, T08S, R16E.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5237 shall not exceed 2.24 cfs, nor a total combined annual volume of 448.0 af.
10. Two points of diversion are located within NESE, S19, T08S, R16E.

Dated this 17 day of

the August, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 36-07288B

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5237

DATE: July 15, 1998

Transfer 5237 adds and changes the point of diversion, and changes the place, nature and season of use under a portion of Right 36-07288B, splitting the right into Parts C and D. The previous approved transfer splitting Part B was rescinded at the request of the right holder. Under this transfer the right holder is drying up 112 acres of irrigation for stockwater and commercial use on a new dairy.

The acres removed from irrigation provide slightly less diversion volume than required for the original number of stock proposed on the dairy worksheet. The actual developed dairy size will be determined by the right holder's level of efficiency in using the maximum amount of water available, 448.0 afa. Limiting conditions reflect the maximum diversions authorized to ensure no expansion of use occurs through this transfer.

Season of use was changed to year round to provide for the dairy. Recommended conditions include drilling permit requirements, measuring & annual reporting, county zoning, water quality, remaining portion limits, multiple points of diversion limits, and standard transfer conditions.

Change in Nature of Use Evaluation

	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol.</u>
36-07288B	6.62 cfs	IRR	331.0	1324.0 afa/993 afa
Part C	4.38 cfs	IRR	219.0	876.0 afa/657.0 afa
Part B	2.24 cfs	STOCK	(112.0)	197.0 afa/ 29.0 afa
	2.24 cfs	COMMER	(112.0)	251.0 afa/ 10.3 afa
	2.24 cfs	DAIRY	(112.0)	448.0 afa/ 39.3 afa
Totals	6.62 cfs	IRR/DAIRY	219.0	1324.0 afa/696.3 afa