

Clark, Cynthia (Bridge)

From: Hamlin Nygard, Susan
Sent: Monday, May 08, 2006 12:23 PM
To: Clark, Cynthia (Bridge)
Subject: FW: From " 31"(Fax Message NO.8988)



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7.tif

Here is a copy of the NCAP that was rejected by the court for your records.

-----Original Message-----

From: Bigley, Cynthia On Behalf Of IDWR Fax
Sent: Monday, May 08, 2006 12:21 PM
To: Hamlin Nygard, Susan
Subject: FW: From " 31"(Fax Message NO.8988)

-----Original Message-----

From: idwrfax@idwr.idaho.gov [mailto:dwrfax@idwr.idaho.gov]
Sent: Monday, May 08, 2006 11:05 AM
To: IDWR Fax
Subject: From " 31"(Fax Message NO.8988)

This E-mail was sent from "State_507_BW" (Aficio 2045e).

Queries to: webmaster@idwr.idaho.gov

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO(208) 736-3011
FAX (208) 736-2121SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

DATE:

5/8/06

TO:

Susan Hamlin

FAX #:

FROM:

Ed Wildman

RE:

NCAP 34-4035C

OF PAGES INCLUDING THIS COVER SHEET

MESSAGE:

Per our conversation. NCAP was
in file but not docketed for reasons
previously explained. In most circumstances
post pd NCAPs are returned to IDWR. This
one wasn't because we didn't know how we
were going to address SOV issue.

This facsimile may contain confidential information that is protected by the Idaho Court Administrative Rules. It is intended to the use of the individual(s) named above. If you are not the named recipient or an employee responsible for delivering the facsimile, you are instructed not to deliver, distribute or copy this facsimile, nor should you disclose its contents or take any action in reliance on the information it contains. If you have received this facsimile in error, please notify the Court immediately by telephone to arrange the return of the transmitted documents to us. Thank you.

7/1/02 17:53
DISTRICT COURT
FIFTH JUDICIAL DISTRICT
STATE OF IDAHOP.D.
Wm
11/2/1IN 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: 34-4035C AND
OVERLAPPING RIGHTS 34-830C
AND 34-227K

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 5400
- | | |
|---|---|
| ☒ point of diversion | ☒ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☒ change in ownership |
| ☒ other: 34-830C and 34-227K Relinquished.
Quantity added to 34-4035C. | |

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: April 12, 2001

Ernest Calum
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 13, 2001, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
MCCALAB ESTATES INC
C/O STEVE VIGILIATORO
1135 YELLOWSTONE STE D
POCATELLO ID 83201
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
L. & S PARTNERS
C/O STEVE ASLETT
PO BOX B
TWIN FALLS ID 83303-0015
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each 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

Cheri Vandemeulen
Signature of person or attorney mailing the form

04/09/2001

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

MAY 17 11:53

RIGHT NUMBER: 34-4035C
NAME AND ADDRESS: L & S PARTNERS
C/O STEVE ASLETT
PO BOX B
TWIN FALLS ID 833030015

DEPT OF WATER RESOURCES
TWIN FALLS, IDAHO
MAY 17 11:53

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.310 CFS
229.30 AFY

PRIORITY DATE: 08/01/1960

POINT OF DIVERSION:
T07N R22E S1 SWNE Within CUSTER County
T07N R22E S1 SENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.310 CFS 229.30 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County
T07N R22E S01 SWNE 40.0 T07N R22E S01 SENE 25.5

65.5 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.

THIS APPROVAL IS SPECIFICALLY CONDITIONED UPON THE TERMS AND LIMITATIONS CONTAINED IN THE STIPULATION, SETTLEMENT, AND JOINT MOTION FOR ORDER FILED WITH THE DEPARTMENT ON OCTOBER 12, 1999, IN THE MATTER OF APPLICATION FOR PERMIT 34-07591, IN THE NAME OF L & S PARTNERS, NUMEROUS OTHER CAPTIONED MATTERS, AND THE PRELIMINARY ORDER OF THE DEPARTMENT ISSUED ON NOVEMBER 18, 1999. THIS APPROVAL IS SUBJECT TO ANY FUTURE MODIFICATIONS RESULTING FROM OR REQUIRED BY THE TERMS OF THAT STIPULATION, THE PRELIMINARY ORDER OF THE DEPARTMENT, AND THE ACTIONS TAKEN PURSUANT THERETO.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use