

Shurte, Jan

From: Dana Hofstetter [Dana@IdahoWaterLaw.com]
Sent: Monday, April 01, 2013 10:08 AM
To: Cooley-Denney, Suzy
Cc: Courtney, Andrea; Negri, David (ENRD); fwprice@blm.gov; Shurte, Jan
Subject: Re: Basin and Range Resource Company, LLC - SF5s

Thank you for the amended SF5 cover sheets.

With regard to the two Explanatory Material remarks that reference "Transfer 77052" on each of the irrigation rights would IDWR have any objection to us writing in and initialing the word "Amended" before "Transfer 77052"? An Amended Transfer Approval was issued on June 26, 2012 (shortly after the original Transfer approval of June 19, 2012) and it is important that the amended approval is not overlooked.

With regard to the following condition on 63-7533 "Place of use does not include federal public lands."- would BLM object to replacing this language with "The place of use within the NWSW of S24, T6N, R5W is limited to the west half of that quarter-quarter." This would make the language consistent with the irrigation rights.

Thank you,
Dana

On 3/28/2013 3:37 PM, Cooley-Denney, Suzy wrote:

Dana ~

Attached please find SF5 cover sheets and IDWR recommendations for the following water right subcases:

63-3182

63-3308

63-3583

63-7177

63-7349

63-7533

63-7903

Please have your clients review the attached documents and if acceptable, sign the SF5s, initial the recommendations, and return the documents back to the Department, ATTN: Jan Shurte. If you have any questions regarding the attached recommendations, please do not hesitate to contact Jan Shurte at (208) 287-4992.

As I am sure you are aware, the Pre-Trial Conference for these subcases is scheduled for Tuesday, April 9, 2013 at 10:00 a.m.

Thank you for your assistance in this matter.

~ Suzy

<<63-3182.pdf>> <<63-3308.pdf>> <<63-3583.pdf>> <<63-7177.pdf>> <<63-7349.pdf>> <<63-7533.pdf>> <<63-7903.pdf>>

SUZY COOLEY-DENNEY, Paralegal

Office of the Attorney General

Idaho Department of Water Resources

7600 N. Mineral Drive, Suite 100

Coeur d'Alene, Idaho 83815

(208) 762-2811 (Telephone)

(208) 762-2819 (Facsimile)

suzy.cooley-denney@idwr.idaho.gov

Shurte, Jan

From: Cooley-Denney, Suzy
Sent: Thursday, March 28, 2013 3:37 PM
To: dana@idahowaterlaw.com
Cc: Courtney, Andrea; Negri, David (ENRD); fwprice@blm.gov; Shurte, Jan
Subject: Basin and Range Resource Company, LLC - SF5s

Dana ~

Attached please find SF5 cover sheets and IDWR recommendations for the following water right subcases:

63-3182
63-3308
63-3583
63-7177
63-7349
63-7533
63-7903

Please have your clients review the attached documents and if acceptable, sign the SF5s, initial the recommendations, and return the documents back to the Department, ATTN: Jan Shurte. If you have any questions regarding the attached recommendations, please do not hesitate to contact Jan Shurte at (208) 287-4992.

As I am sure you are aware, the Pre-Trial Conference for these subcases is scheduled for Tuesday, April 9, 2013 at 10:00 a.m.

Thank you for your assistance in this matter.

~ Suzy



63-3182.pdf



63-3308.pdf



63-3583.pdf



63-7177.pdf



63-7349.pdf



63-7533.pdf



63-7903.pdf

SUZY COOLEY-DENNEY, Paralegal

*Office of the Attorney General
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2811 (Telephone)
(208) 762-2819 (Facsimile)
suzy.cooley-denney@idwr.idaho.gov*

In Re SRBA	)	Subcase No. 63-3583
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

OBJECTOR:
United States of America

David Negri, Attorney
Bureau of Land Management

IDWR Concurrence:

Jan Shurte	Date
Senior Water Resource Agent	

Andrea L. Courtney	Date
Deputy Attorney General	
Attorney for IDWR	

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

RIGHT NUMBER: 63-3583

NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.500 CFS
472.500 AFY

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

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 place of use.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION:

T06N R05W S22 SESW Within PAYETTE County
T06N R05W S23 SWNE Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NWSSEW Within PAYETTE County
T06N R05W S23 NWSSEW Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NWSWSE Within PAYETTE County
T06N R05W S24 NWNW Within PAYETTE County

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.500 CFS 472.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

SF5 Right No. 63-3583

PLACE OF USE:

IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	40.00
T06N R05W S14	SESW	40.00	T06N R05W S14	SWSE	40.00
T06N R05W S14	SESE	40.00	T06N R05W S15	SESE	40.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	40.00
T06N R05W S22	SWNE	40.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	40.00	T06N R05W S22	SENW	40.00
T06N R05W S22	NESW	40.00	T06N R05W S22	SESW	40.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00
T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00
T06N R05W S23	NENE	40.00	T06N R05W S23	NWNE	40.00
T06N R05W S23	SWNE	40.00	T06N R05W S23	SENE	40.00
T06N R05W S23	NENW	40.00	T06N R05W S23	NWNW	40.00
T06N R05W S23	SWNW	40.00	T06N R05W S23	SENW	40.00
T06N R05W S23	NESW	40.00	T06N R05W S23	NWSW	40.00
T06N R05W S23	SESW	20.00	T06N R05W S23	NESE	40.00
T06N R05W S23	NWSE	40.00	T06N R05W S23	SWSE	20.00
T06N R05W S24	NWNW	40.00	T06N R05W S24	SWNW	40.00
T06N R05W S24	NWSW	20.00			

1340 ACRES TOTAL

The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of the transfer's approval.

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.

Failure of the right holder to comply with the conditions of ~~this~~ Transfer 77052 is cause for the Director to rescind approval of the transfer.

SF5 Right No. 63-3583

CERTIFICATE OF MAILING

I certify that on _____, 2013, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BASIN AND RANGE RESOURCE COMPANY, LLC
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509

Signature of person or attorney mailing form

Shurte, Jan

To: Shurte, Jan
Subject: FW: Basin Range and Resource SF5s
Attachments: SF5 63-3182.pdf; SF5 63-3308.pdf; SF5 63-3583.pdf; SF5 63-7177.pdf; SF5 63-7349.pdf; SF5 63-7533.pdf; SF5 63-7903.pdf

From: Shurte, Jan
Sent: Thursday, December 06, 2012 2:30 PM
To: Dana Hofstetter ; David Negri ; Fred Price
Cc: Courtney, Andrea
Subject: Basin Range and Resource SF5s

Good afternoon,

Attached are the SF5s for Basin and Range Resource Company, LLC. Please note that Right Nos. 63-3308 and 63-7903 do not have a signature line for BLM since no objections were filed by BLM to these two rights. These rights still address the federal land issues with the specific place of use remarks from approved Transfer No. 77052.

Dana would you please review and sign all of the SF5s, send 63-3308 and 63-7903 back to the Department at my attention and forward the remaining Right Nos. 63-3182, 63-3583, 63-7177, 63-7349 and 63-7533 to David Negri for his signature. David would you please review and sign these rights and return them to the Department at my attention.

Please feel free to contact me if you have any questions or corrections concerning these rights.

Jan Shurte
Adjudication Technical Analyst
Idaho Dept of Water Resources
322 E Front St
Boise, Idaho 83720
(208) 287-4992

**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. 63-3583
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:
Basin and Range Resource

OBJECTOR:
United States of America

Dana L. Hofstetter, Attorney Date

David Negri, Attorney Date
Bureau of Land Management

Jan Skute 12-6-12

Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-3583

NAME AND ADDRESS: BASIN AND RANGE RESOURCE COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.500 CFS
472.500 AFY

Rights 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903 when combined shall not exceed a total diversion rate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.84 cfs.

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 place of use.

PRIORITY DATE: 02/17/1967

POINT OF DIVERSION:

T06N R05W S22 SESW Within PAYETTE County
T06N R05W S23 SWNE Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NESE Within PAYETTE County
T06N R05W S23 NWSW Within PAYETTE County
T06N R05W S24 NWNW Within PAYETTE County

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.500 CFS 472.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

SF5 Right No. 63-3583

PLACE OF USE: IRRIGATION in PAYETTE County

T06N R05W S13	SWSW	40.00	T06N R05W S14	SWSW	40.00
T06N R05W S14	SESW	40.00	T06N R05W S14	SWSE	40.00
T06N R05W S14	SESE	40.00	T06N R05W S15	SESE	40.00
T06N R05W S22	NENE	40.00	T06N R05W S22	NWNE	40.00
T06N R05W S22	SWNE	40.00	T06N R05W S22	SENE	40.00
T06N R05W S22	NENW	40.00	T06N R05W S22	SENW	40.00
T06N R05W S22	NESW	40.00	T06N R05W S22	SESW	40.00
T06N R05W S22	NESE	40.00	T06N R05W S22	NWSE	40.00
T06N R05W S22	SWSE	40.00	T06N R05W S22	SESE	40.00
T06N R05W S23	NENE	40.00	T06N R05W S23	NWNE	40.00
T06N R05W S23	SWNE	40.00	T06N R05W S23	SENE	40.00
T06N R05W S23	NENW	40.00	T06N R05W S23	NWNW	40.00
T06N R05W S23	SWNW	40.00	T06N R05W S23	SENW	40.00
T06N R05W S23	NESW	40.00	T06N R05W S23	NWSW	40.00
T06N R05W S23	SESW	20.00	T06N R05W S23	NESE	40.00
T06N R05W S23	NWSE	40.00	T06N R05W S23	SWSE	20.00
T06N R05W S24	NWNW	40.00	T06N R05W S24	SWNW	40.00
T06N R05W S24	NWSW	20.00			

1340 ACRES TOTAL

The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter.

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

The place of use within the SESW and SWSE of S23, T06N, R05W is limited to the north half of those quarter-quarters.

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of the transfer's approval.

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.

Failure of the right holder to comply with the conditions of ~~this~~ Transfer 77052 is cause for the Director to rescind approval of the transfer.

SF5 Right No. 63-3583

CERTIFICATE OF MAILING

I certify that on _____, 2012, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BASIN AND RANGE RESOURCE
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509

Signature of person or attorney mailing form

Shurte, Jan

From: Shurte, Jan
Sent: Thursday, November 29, 2012 1:36 PM
To: ddelaney@idcourts.net
Subject: Corrections Basin Range and Resource Director's Reports
Attachments: 63-3182.pdf; 63-3308.pdf; 63-3583.pdf; 63-7903.pdf

Hi Diana,

As I was going through these I decided to just make my changes on the paper copy and scan them in. It seems easier to fix than if I tried to explain each one in an email. The changes are not that bad, just thought it would make it easier when the SF5s come in hopefully in the next couple of weeks.

Can you let me know if you find anything strange in my changes and then if you could let me know when it's done I will have Lori get the SF5s ready for mailing. Fingers crossed and crossed again.

Thanks,
Jan

SRBA

DIRECTORS REPORT 63-03583

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 63-03583

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*****
*
* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
*           IT WAS 1ST FILED.                   *
*
*****
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CHANGE: SUBSTITUTION OF PARTY
TRANSFER COMPLETE

Name and Address: BASIN AND RANGE RESOURCE
COMPANY LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY, NV 89703

Source: GROUND WATER

Quantity: 1.50 CFS
472.50 AFY

Rights 63-3182, 63-3308, 63-3583, 63-7177, 637349, and 63-7903 when combined shall not exceed a total diversion ate of 20.35 cfs, a total annual maximum diversion volume of 5733 af at the field headgate, and the irrigation of 1274 acres in a single irrigation season.

Rights 63-3308, 63-3583 and 63-7349 when combined shall not exceed a total diversion rate of 5.894 cfs.

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 place of use.

ONLY
CHANGE
☺

Priority Date: 02-17-1967

Diversion Point: T06N R05W S22
S23

SESW Within Payette County
NWSESW
NWSESW
NWSWSE
SWNE
NWSW
NESE
NESE
NESE
NWNW

S24

The following rights are diverted through points of diversion described above: 63-3182, 63-3308, 63-3583, 63-7177, 63-7349 and 63-7903.

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	03-15 TO 11-15	1.50 CFS
			472.50 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Place of Use:	Irrigation	Within Payette County	
	T06N R05W S13	SWSW 40	
	S14	SWSW 40	SESW 40
		SWSE 40	SESE 40
	S15	SESE 40	
	S22	NENE 40	NWNE 40
		SWNE 40	SENE 40
		NENW 40	SENW 40
		NESW 40	SESW 40
		NESE 40	NWSE 40
		SWSE 40	SESE 40
	S23	NENE 40	NWNE 40
		SWNE 40	SENE 40
		NENW 40	NWNW 40
		SWNW 40	SENW 40
		NESW 40	NWSW 40
		SESW 20	NESE 40
		NWSE 40	SWSE 20
	S24	NWNW 40	SWNW 40
		NWSW 20	
	1340	Acres Total	

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season. The place of use within the NWSW of S24, T06N, R05W is limited to the west half of that quarter-quarter. The place of use within the SESW and SWSE of 523, T06N, R05W is limited to the north half of those quarter-quarters.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

The right holder shall accomplish the change authorized by Transfer 77052 within one year of the date of the approval.

Failure of the right holder to comply with the conditions of Transfer 77052 is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder

shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

[Return to SRBA Home Page](#)

**SEE REFER TO SRBA FILE 63-3182
FOR SRBA PLEADINGS OR OTHER
DOCUMENTS THAT APPLY
COLLECTIVELY TO THESE CLAIMS:
63-3182, 63-3583, 63-7177, 63-7533,
63-31839, 63-31840, 6331841, 63-31842,
63-31854 & 63-31855.**

**SUMMARY: ORIGINAL CLAIMANT FILED TRANSFER
71619 ON 2/25/05. CLAIMS RECOMMENED PER THIS
2005 TRANSFER BUT CLAIMANT DID NOT
ACCOMPLISH THE TRANSFER.**

**NEW OWNER WANTS PARTIAL DECREE TO REFLECT
NEW TRANSFER # 74601 FILED 2/28/2008. SRBA COURT
CODED SUBCASES WITH NAP. IDWR WILL FILE NCAP
AFTER TRANSFER IS PROCESSED.**



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 14, 2007

BASIN AND RANGE RESOURCE COMPANY LLC
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

Re: Water Right Nos. 63-3182, 63-3583, 63-7177, 63-7533, 63-31839, 63-31840, 63-31841,
63-31842, 63-31854, 63-31855

Dear Sir or Madam:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

Water right 63-21624, which was also listed on the Notice of Change in Water Right Ownership, has previously been decreed by the SRBA Court and will be changed by the Water Allocations section. A notice will be sent to you upon completion of the change.

In addition, 63-21614 was also listed on the ownership change, but we are unable to change this right as the legal description listed on the deed (6N 5W Sec. 15 SESE) is not the same as the legal description on the water right (6N 5W Sec. 15 SWSE). If you have any additional documentation that covers this portion of the property, submit it to our office and we will review the information.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Dana Hofstetter

Basin and Range Resource Company, LLC

Dana L. Hofstetter, ISB No. 3867
HOFSTETTER LAW OFFICE, LLC
608 West Franklin Street
Boise, ID 83702
Telephone: (208) 424-7800
Facsimile: (208) 424-8774

**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 Nos. 63-3182, 63-3583,
	)	63-7177, 63-7533, 63-31839,
	)	63-31840, 63-31841, 63-31842,
Case No. 39576	)	63-31854, 63-31855, 63-21624,
	)	and 63-21614
	)	

NOTICE OF APPEARANCE

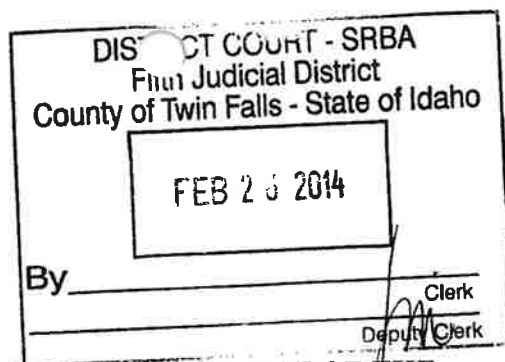
Dana L. Hofstetter of Hofstetter Law Office, LLC enters an appearance as attorney of record for Basin and Range Resource Company, LLC, in the above-referenced subcases, and requests that copies of all documents be served upon Ms. Hofstetter at the address above.

DATED this 22nd day of August, 2007.

HOFSTETTER LAW OFFICE, LLC

By


Dana L. Hofstetter



**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 Number: 61-7417
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050
Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
TYSON K. NELSON (ISB #7188)
Deputy Attorney General
Attorney Address: Office of the Attorney General
Joe R. Williams Building
700 West State Street, 2nd Floor
P.O. Box 44449
Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: State of Idaho
Department of Lands
Address: 300 N. 6th St., Ste. 103
P.O. Box 83720
Boise, ID 83720-0050

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address:**
Should be: _____
2. ☐ **Source:**
Should be: _____
3. ☒ **Quantity:**
Should be: 1.25 A.F.A., as claimed.
4. ☐ **Priority Date:**
Should be: _____
5. ☐ **Point of Diversion:**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point:**
Should be: _____
7. ☐ **Purpose(s) of Use:**
Should be: _____
8. ☐ **Period of Year:**
Should be: _____
9. ☐ **Place of Use:**
Should be: _____
10. **I object because:**
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The quantity should be 1.25 A.F.A based on the historic use of water at the place of use.
Please see the Motion to File Amended Notice of Claim for additional information.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

TYSON K. NELSON, Deputy Attorney General, duly sworn, upon oath, deposes and says:

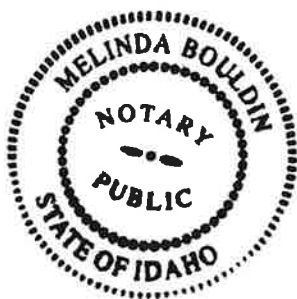
That the State of Idaho in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
TYSON K. NELSON
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on: February 25, 2014
(Insert Date)



Notary Public for Idaho
Residing at: Boise, ID
My commission expires: 12-8-16

G. CERTIFICATE OF MAILING

I certify that on this 15 day of February, 2014, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

2. One copy to the claimant of the water right at the following address:

State of Idaho, Department of Lands
300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050

E-MAIL:

dgjohnson@idl.idaho.gov
kgraham@idl.idaho.gov

3. Copies to:

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

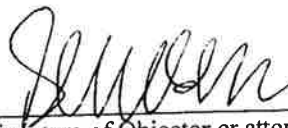
STATEHOUSE MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

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

U.S. MAIL



Signature of Objector or attorney
Mailing on Objector's behalf