

COPY

2004 OCT -8 PM 2: 42

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. 45-2336, 45-13553
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

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

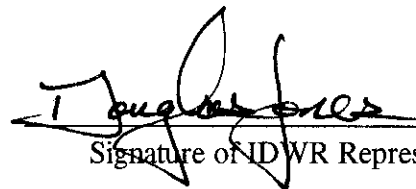
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: _____

10/7/04



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/8, 2004, 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:
Rick Robinson
Alyssa Robinson
1560 s 500 w
Oakley ID 83346
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Eugene Matthews
Heidi Matthews
1249 Hwy 27
Oakley ID 83346
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. 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

09/07/2004

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

2004 OCT -8 PM 2:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-2336
NAME AND ADDRESS: HEIDI MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.800 CFS
800.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-13553 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1020 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1228 AF. COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/06/1950

POINT OF
DIVERSION: T13S R22E S9 SENWNE Within CASSIA County
Rights 45-13553 and 45-13555 are also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.800 CFS 800.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S04	NESE	40.0	T13S R22E S04	NWSE	38.0
T13S R22E S04	SWSE	38.0	T13S R22E S04	SESE	40.0
T13S R22E S09	NENE	40.0	T13S R22E S09	NWNE	33.0
T13S R22E S09	SWNE	38.0	T13S R22E S09	SENE	40.0

307 ACRES TOTAL

09/07/2004

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

USE OF THIS RIGHT WITH RIGHT NO. 45-13553 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.

This right is limited to the irrigation of 200 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

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 this transfer within one (1) year of the date of this approval.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Rights 45-2336, 45-13553, and 45-13555 when combined shall not exceed a total diversion rate of 5.96 cfs, a total annual maximum diversion volume of 1228 af at the field headgate, and the irrigation of 307 acres.

09/07/2004

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

2004 OCT -8 PM 2:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 45-13553
NAME AND ADDRESS: EUGENE MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

HEIDI MATTHEWS
1249 S HWY 27
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.960 CFS
1,020.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 45-2336 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.76 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1020 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.96 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1228 AF. COMBINED RIGHT NOS.: 45-2336,
45-13553, & 45-13555.

This right when combined with all other rights shall provide no more than
0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 12/10/1956

POINT OF
DIVERSION: T13S R22E S9 SENWNE Within CASSIA County

Rights 45-2336 and 45-13555 are also diverted through the point of diversion
described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.960 CFS 1,020.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T13S R22E S04	NESE	40.0	T13S R22E S04	NWSE	38.0
T13S R22E S04	SWSE	38.0	T13S R22E S04	SESE	40.0
T13S R22E S09	NENE	40.0	T13S R22E S09	NWNE	33.0
T13S R22E S09	SWNE	38.0	T13S R22E S09	SENE	40.0

307 ACRES TOTAL

09/07/2004

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

USE OF THIS RIGHT WITH RIGHT NO. 45-2336 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2336, 45-13553, & 45-13555.

This right is limited to the irrigation of 255 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Rights 45-2336 and 45-13553 when combined shall not exceed a total diversion rate of 4.76 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.

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 determine the amount of water diverted from power records and shall annually report the information to the Department.

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-2537.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Rights 45-2336, 45-13553, and 45-13555 when combined shall not exceed a total diversion rate of 5.96 cfs, a total annual maximum diversion volume of 1228 af at the field headgate, and the irrigation of 307 acres.