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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 MAY 21 AM 10 52

COPY

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	)	Water Rights: 63-31346, 63-31348
	)	
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

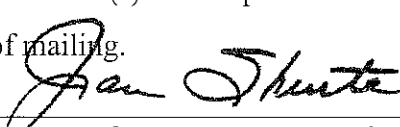
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |
- ☐ IC § 42-219 license

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 Report(s)* for said water right(s). 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: May 18, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 18, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

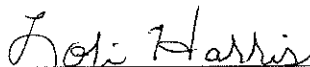
Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Russell Matson	☐	overnight mail
Amanda Matson	☒	regular mail
524 3 rd St S #102	☐	hand-delivered
Nampa ID 83651	☐	facsimile

Scott Drake	☐	overnight mail
Martha Drake	☒	regular mail
122 N Orchard Heights Way	☐	hand-delivered
Nampa ID 83651	☐	facsimile



Signature of person mailing this document

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

FILED
2007 MAY 21 AM 10 53

RIGHT NUMBER: 63-31346

NAME AND ADDRESS: RUSSELL MATSON
524 3RD ST S #102
NAMPA ID 83651

AMANDA MATSON
524 3RD ST S #102
NAMPA ID 83651

SCOTT DRAKE
MARTHA DRAKE
122 N ORCHARD HEIGHTS WAY
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

QUANTITY: 0.160 CFS
54.000 AFY

Rights 63-31346 and 63-31348 when combined shall not exceed a total diversion rate of 0.20 cfs, a total annual maximum diversion volume of 54.0 af at the field headgate, and the irrigation of 12 acres.

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 lands above.

PRIORITY DATE: 10/07/1963

POINT OF DIVERSION:

T01N R01W S5 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.160 CFS 54.00 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 in ADA County

T01N R01W S05	SWSW	8.00	T01N R01W S05	SESW	4.00
---------------	------	------	---------------	------	------

12 ACRES TOTAL

Point of diversion and place of use are located within Lot 3, Blk. 1, Boyer Heights Subdivision.

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

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

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.

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

COPY

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

RIGHT NUMBER: 63-31348

NAME AND ADDRESS: AMANDA MATSON
524 3RD ST S #102
NAMPA ID 83651

RUSSELL MATSON
524 3RD ST S #102
NAMPA ID 83651

SCOTT DRAKE
MARTHA DRAKE
122 N ORCHARD HEIGHTS WAY
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

QUANTITY: 0.130 CFS
54.000 AFY

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 lands above.

Rights 63-31346 and 63-31348 when combined shall not exceed a total diversion rate of 0.20 cfs, a total annual maximum diversion volume of 54.0 af at the field headgate, and the irrigation of 12 acres.

PRIORITY DATE: 12/17/1971

POINT OF DIVERSION:

T01N R01W S5 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/15	0.130 CFS 54.00 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 4/1 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 in ADA County

T01N R01W S05	SWSW	8.00	T01N R01W S05	SESW	4.00
---------------	------	------	---------------	------	------

12 ACRES TOTAL

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