

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED _____

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AUG 21 2007
DEPARTMENT OF
WATER RESOURCES

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: 63-3114 (Split)
	)	63-32817, 63-32818
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

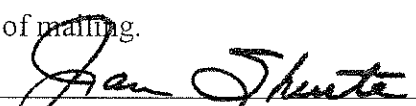
IDWR has completed the following administrative proceeding:

- ☐ 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: August 17, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 17, 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:

Rodney K Montierth	☐ overnight mail
Rt 1 Box 156	☒ regular mail
Kuna ID 83634	☐ hand-delivered
	☐ facsimile

Edward Ray Montierth	☐ overnight mail
Susan L Montierth	☒ regular mail
825 Heartland Dr	☐ hand-delivered
Nampa ID 83686	☐ facsimile

Darlene E Montierth	☐ overnight mail
2409 W Kuna Cave Rd	☒ regular mail
Kuna ID 83634	☐ hand-delivered

\W Nolan Victor	☐ overnight mail
Ruby C Victor	☒ regular mail
1528 Addison Ave E	☐ hand-delivered
Twin Falls ID 83301	

Robert J Meyers
Kathi L Meyers
3024 Woodridge Dr
Twin Falls ID 83301

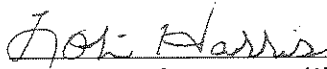
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Herbert R Montierth Jr
6312 S Zither Ave
Boise ID 83709

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Richard M Phillips & Staci Phillips Trust
Richard M Phillips Trustee
210 Murray St
Boise ID 83714

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 63-3114

DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-32817 & 63-32818

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WATER RESOURCES

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

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DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-32817
NAME AND ADDRESS: EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

ROBERT J MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

DOLLIE MONTIERTH
RT 1
KUNA ID 83634

KATHI L MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

RODNEY K MONTIERTH
RT 1 BOX 156
KUNA ID 83634

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.390 CFS
540.000 AFY

This right when combined with Right No. 63-32823 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 07/23/1957

POINT OF DIVERSION:

T05N R01W S31 NWSWNW Lot 2 Within ADA County

T05N R02W S25 NENWNE Within CANYON County

T05N R02W S25 SENW Within CANYON County

T05N R02W S25 SWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.390 CFS 540.00 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE:

IRRIGATION in CANYON County

T05N R02W S25	NWNE	40.00	T05N R02W S25	SWNE	1.00
T05N R02W S25	SWNW	40.00	T05N R02W S25	SENE	20.00
T05N R02W S25	NESW	2.00	T05N R02W S25	SWSW	17.00

120 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 63-3114 .

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RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-32818

NAME AND ADDRESS: RICHARD M PHILLIPS & STACI PHILLIPS TRUST
RICHARD M PHILLIPS TRUSTEE
210 MURRAY ST
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.790 CFS
697.500 AFY

This right when combined with Right No. 63-32824 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 07/23/1957

POINT OF DIVERSION:

T05N R01W S31 NWSWNW Lot 2 Within ADA County

T05N R02W S25 NENWNE Within CANYON County

T05N R02W S25 SENW Within CANYON County

T05N R02W S25 SWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.790 CFS
697.50 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T05N R02W S25	SWNE	39.00	T05N R02W S25	SENE	20.00
T05N R02W S25	NESW	38.00	T05N R02W S25	NWSW	40.00
T05N R02W S25	SWSW	18.00			

155 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 63-3114 .