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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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: 63-32075 (Split)
	)	63-32635, 63-32636
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

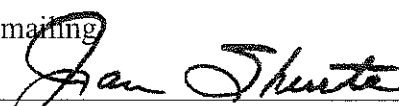
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| XX 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 31, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 31, 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:

Farm Development Corp	☐	overnight mail
PO Box 1201	☒	regular mail
Boise ID 83701	☐	hand-delivered
	☐	facsimile

Herbert Montierth Jr	☐	overnight mail
6312 S Zither Ave	☒	regular mail
Boise ID 83709	☐	hand-delivered
	☐	facsimile

Edward Ray Montierth
Susan L Montierth
The Estate of Golda D Montierth
825 Heartland Dr
Nampa ID 83686

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

Ruby C Victor
W Nolan Victor
Robert J Meyers
Kathi L Meyers
Rodney Kent Montierth
1528 Addison Ave E
Twin Falls ID 83301

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



Signature of person mailing this document

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

RIGHT NUMBER: 63-32075 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-32635 & 63-32636

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

RIGHT NUMBER: 63-32635

NAME AND ADDRESS: ROBERT J MEYERS
1528 ADDISON AVE E
TWIN FALLS ID 83301

EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

HERBERT R MONTIERTH JR
6312 S ZITHER AVE
BOISE ID 83709

KATHI L MEYERS
1528 ADDISON AVE E
TWIN FALLS ID 83301

RODNEY KENT MONTIERTH
1528 ADDISON AVE E
TWIN FALLS ID 83301

THE ESTATE OF GOLDA D MONTIERTH
825 HEARTLAND DRIVE
NAMPA ID 83686

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
117.000 AFY

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S15 NESE Within CANYON County

T02N R03W S15 SWSE 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	2.000 CFS 117.00 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S14	NWSW	40.00	T02N R03W S14	SWSW	40.00
T02N R03W S15	NESE	20.00	T02N R03W S15	SESE	5.00

105 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

This right is a split from former right 63-32075.

Right 63-32632 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

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

RIGHT NUMBER: 63-32636

NAME AND ADDRESS: FARM DEVELOPMENT CORP
PO BOX 1201
BOISE ID 83701

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.280 CFS
46.900 AFY

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T01N R03W S4 NESWSW Within CANYON County

T01N R03W S9 NWNWNE Within CANYON County

Right 63-32633 is also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.280 CFS 46.90 AFY
STOCKWATER	01/01 12/31	0.280 CFS 46.90 AFY

Industrial use is for a machine shop and feed preparation for a feedlot.

PLACE OF USE:

STOCKWATER in CANYON County

T01N R03W S04	NWSW	T01N R03W S04	SWSW
T01N R03W S04	SESW	T01N R03W S05	NESE
T01N R03W S09	NENW	T01N R03W S09	NWNW

INDUSTRIAL in CANYON County

T01N R03W S04	NWSW	T01N R03W S04	SWSW
T01N R03W S04	SESW	T01N R03W S05	NESE
T01N R03W S09	NENW	T01N R03W S09	NWNW

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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

The right holder shall accomplish the change authorized by Transfer 71937 within one year of the date of the approval.

This right is a split from former right 63-32075.

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.

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

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.