

12/11/2007

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

RIGHT NUMBER: 2-10376

NAME AND ADDRESS: EDWARD RAY MONTIERTH  
825 HEARTLAND DR  
NAMPFA ID 83686

SUSAN L MONTIERTH  
825 HEARTLAND DR  
NAMPFA ID 83686

HERBERT R MONTIERTH JR  
6312 S ZITHER AVE  
BOISE ID 83709

ESTATE OF GOLDA DARLENE MONTIERTH  
HERBERT R MONTIERTH PERS REP  
825 HEARTLAND DR  
NAMPFA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.071 CFS

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, and splits of 2-2191B,  
2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363,  
2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10029, 2-10059,  
2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 when combined  
shall not exceed a total diversion rate of 74.30 cfs.

PRIORITY DATE: 01/11/1963

POINT OF DIVERSION:

T01N R03W S36 SWSWNE Lot 7 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.071 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S02 Lot 1 NENE 5.00

5 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

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

This right is a split from former right 2-2191B.

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, and splits of 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10029, 2-10059, 2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 are diverted from the point of diversion described above.

COPY

DISTRICT COURT OF  
TWIN FALLS, IDAHO  
FILED

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DEC 21 2007

DEPARTMENT OF  
WATER RESOURCES

2007 DEC 19 10:01:00

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: 2-2191B (Split)**

) **See Exhibit A**

Case No. 39576

) **NOTICE OF COMPLETED**

) **ADMINISTRATIVE**

) **PROCEEDING**

IDWR has completed the following administrative proceeding:

☐

Address change

☐

Substitution of Party

☒

Split of water right

☐

Change in ownership

☐

IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water right 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: Dec 17, 2007



Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on December 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  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

### 2. Copies to:

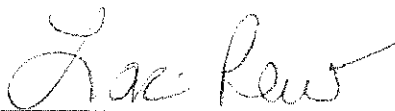
Clive Strong  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

### 3. Copies to all parties to the subcase:

Herbert R. Montierth  
Edward Ray and Susan L. Montierth  
Estate of Golda Darlene Montierth  
Herbert R. Montierth, Pers. Rep.  
825 Heartland Dr.  
Nampa, ID 83686

Herbert R. Montierth, Jr.  
6312 S. Zither Ave.  
Boise, ID 83709



Signature of person mailing this document

## Exhibit A

2-2191B split into the following water rights:

2-10372

2-10373

2-10374

2-10375

2-10376

2-10377

2-10378

2-10379

2-10380

2-10381

2-10382

2-10383

2-10384

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2-10391

2-10392

2-10393

2-10394