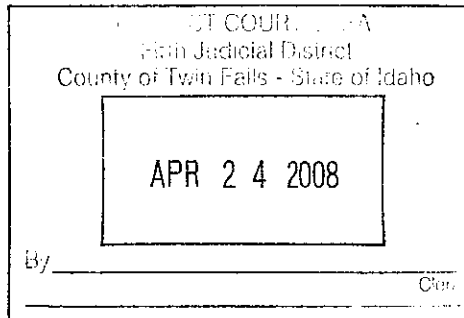




COPY

**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

Case No. 39576

Water Rights: 63-32823 (Split)
63-33027, 63-33028

**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

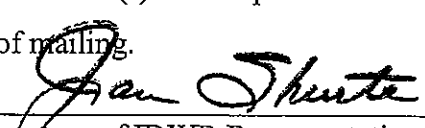
☐ Other

☐ 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: April 23, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 23, 2008, 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:

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

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

Robert J. Meyers		
Kathi L. Meyers	☒	regular mail
3921 N. 3300 E.		
Twin Falls ID 83301		

Herbert R. Montierth Jr.		
6312 S. Zither Ave	☒	regular mail
Boise ID 83709		

Darlene E. Montierth
2409 W. Kuna Cave Rd.
Kuna ID 83634

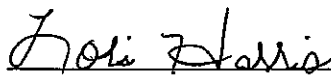
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Rodney K. Montierth
Rt. 1 Box 156
Kuna ID 83634

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

Richard M. Phillips Trust
Staci Phillips Trust
210 Murray St.
Boise ID 83714

☒ regular mail



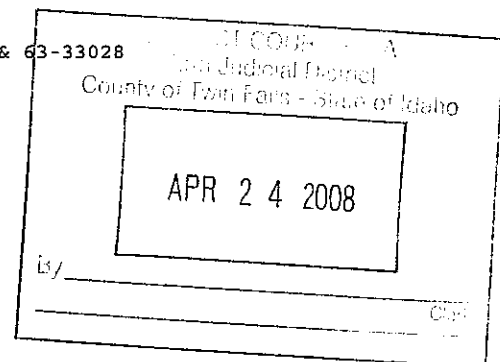
Signature of person mailing this document

COPY

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

RIGHT NUMBER: 63-32823 DISALLOWED

SPLIT RIGHT: RECOMMENDED AS RIGHT NOS. 63-33027 & 63-33028



COPY

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

RIGHT NUMBER: 63-33027

NAME AND ADDRESS: W NOLAN VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

SUSAN L MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

DOLLIE MONTIERTH
RT 1
KUNA ID 83634

KATHI L MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

RUBY C VICTOR
1528 ADDISON AVE E
TWIN FALLS ID 83301

DARLENE E MONTIERTH
2409 W KUNA CAVE RD
KUNA ID 83634

EDWARD RAY MONTIERTH
825 HEARTLAND DR
NAMPA ID 83686

ROBERT J MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

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:

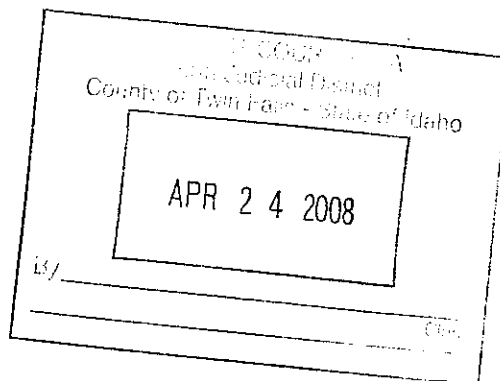
QUANTITY: 0.210 CFS
112.500 AFY

This right when combined with Right Nos. 63-33025, 63-33026, and
63-33028 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 08/26/1968

POINT OF DIVERSION:

T05N R01W S31 NWSNW Lot 2 Within ADA County
T05N R02W S25 SENW Within CANYON County
T05N R02W S25 SWSW Within CANYON County
T05N R02W S25 NENWSE Within CANYON County



PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.210 CFS 112.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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.

PLACE OF USE:

IRRIGATION in CANYON County

T05N R02W S25	SWNE	1.00	T05N R02W S25	NESW	2.00
T05N R02W S25	SWSW	22.00			

25 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 63-32823 .

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

COPY

IDAHO DEPARTMENT OF WATER RESOURCES

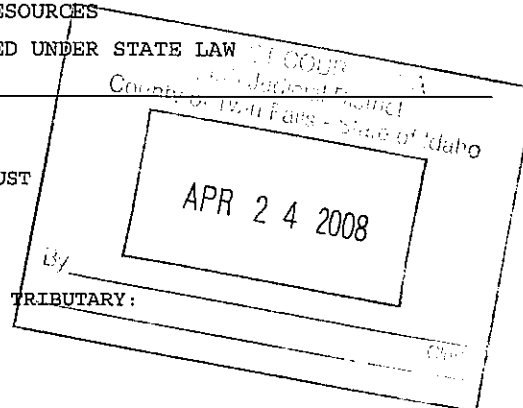
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-33028

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

SOURCE: GROUND WATER

QUANTITY: 0.820 CFS
441.000 AFY



This right when combined with Right Nos. 63-33025, 63-33026, and 63-33027 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 08/26/1968

POINT OF DIVERSION:

T05N R01W S31 NWSWN Lot 2 Within ADA County

T05N R02W S25 SENW Within CANYON County

T05N R02W S25 SWSW Within CANYON County

T05N R02W S25 NENWSE Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.820 CFS 441.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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.

PLACE OF USE: IRRIGATION in CANYON County

T05N R02W S25	NWNE	38.00	T05N R02W S25	SWNW	40.00
T05N R02W S25	SENE	20.00			

98 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.

This right is a split from former right 63-32823 .