

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 MAY 21 AM 12 42

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	)	Subcase No: 47-16869 (Split)
	)	47-17454, 47-17478, 47-17479
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☐ Place of Use
☒ Period of Use	☐ Nature of Use

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 Reports* for said water rights. 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: 5/18/09



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-21, 2009, 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
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

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

Diane Long
David Long
1031 Hankins Rd
Twin Falls ID 83301

Mathers Ranch Inc
3485 E 3100 N
Kimberly ID 83341

Robert Meyers
Kathi Meyers
3921 N 3300 E
Twin Falls ID 83301



Signature of person or attorney mailing the form

05/5/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
47-16869	MATHERS RANCH INC 3485 E 3100 N KIMBERLY ID 83341	Disallowed	Recommended as 47-17454, 47-17478 and 47-17479

05/05/2009

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

RIGHT NUMBER: 47-17454

NAME AND ADDRESS: KATHI L MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

ROBERT J MEYERS
3921 N 3300 E
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

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

QUANTITY: 0.110 CFS
24.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Rights 47-17454, 47-17458, and 47-17460 when combined shall not exceed a total diversion rate of 0.11 cfs, a total annual maximum diversion volume of 24.0 af at the field headgate.

PRIORITY DATE: 11/06/1961

POINT OF
DIVERSION:

T10S R17E S12 SESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.110 CFS 24.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T10S R17E S12 SESE 6.00
6 ACRES TOTAL

This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.

Right Nos. 47-17454, 47-17458, and 47-17460 are limited to the irrigation of a combined total of 6 acres in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within one 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.

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

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.

05/05/2009

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

RIGHT NUMBER: 47-17478

NAME AND ADDRESS: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.180 CFS
912.80 AFY

The rights listed below are limited to a total combined diversion rate 4.18 cfs. Combined Right Nos.: 47-174576 47-17478, 47-17480

The rights listed below are limited to a total combined annual diversion volume of 914.8 af. Combined Right Nos.: 47-17476, 47-17478, 47-17480

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 11/06/1961

POINT OF
DIVERSION:

T11S R18E S31 SWNE Within TWIN FALLS County
T11S R18E S32 SWNW Within TWIN FALLS County
T11S R18E S32 SWSW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	4.180 CFS 912.80 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T11S R18E S31	NENE	1.60	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	38.00	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00
T11S R18E S32	SWNW	39.00	T11S R18E S32	NWSW	1.00

228.7 ACRES TOTAL

Right Nos. 47-17476, 47-17478 and 47-17480 are limited to the irrigation of a combined total of 228.7 acres in a single irrigation season.

Right 47-17478 is limited to the irrigation of 228 acres within the place of use described above in a single irrigation season.

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

The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Use of this right is combined with water from Twin Falls Canal Co.

05/05/2009

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

RIGHT NUMBER: 47-17479

NAME AND ADDRESS: DAVID R LONG
1031 HANKINS RD N
TWIN FALLS ID 83301

DIANE H LONG
1031 HANKINS RD N
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
12.00 AFY

Rights 47-17477, 47-17479 and 47-17481 when combined shall not exceed a total diversion rate of 0.05 cfs, a total annual maximum diversion volume of 12.0 af at the field headgate.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 11/06/1961

POINT OF
DIVERSION:

T10S R17E S2 SESE Lot 21 Within TWIN FALLS County
The following rights are diverted through point of diversion described above:
47-17477, 47-17479, and 47-17481

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.050 CFS 12.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T10S R17E S02 SESE 3.00
3 ACRES TOTAL

Right Nos. 47-17477, 47-17479 and 47-17481 are limited to the irrigation of a combined total of 3.0 acres in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within one 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.

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

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 use power records to determine the amount of water diverted and shall annually report the information to the Department.