

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-04931**
Date Received: 2/26/1990
Receipt No: C014930
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: BILL MATNEY 208-733-4919
Address: 2736 POLELINE RD E
TWIN FALLS ID 83303
OR
Name: HELEN MATNEY 208-733-4919
Address: 2736 POLELINE RD E
TWIN FALLS ID 83303

2. Date of Priority: MAY 11, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	12	NE	NW	NE		CANYON

5. Description of diverting works:
WELL, 500' DEEP, 15 HP PUMP, TO GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	12	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
WILDER IRRIG. DIST.

14. Remarks:
OWNERSHIP CHANGED BY DB 10/8/98.

15. Basis of Claim: STATUTORY CLAIM

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 15 1998

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) AG
Adjudication Claim Number(s) AG-04931
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) CLOUDCRAFT INC.
18981 Fish Rd. Wilder, ID 83676
208-482-7440
4. New Owner/Claimant(s) Bill or Helen Matney
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2736 Poleline Rd. E.
City, State and ZIP Code Twin Falls, ID 83301
New Telephone Number (208) 733-4919
5. Date you acquired the property MAY 15, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 160 Number and type of stock NONE AT THIS TIME
Diversion rate in CFS 1,000 Number of homes NONE Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Bill J. Matney Date 5/19/98
Helen Matney Date 5-19-98
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Cloudecroft Inc.

(Name of Claimant)

Rt. 1, Wilder, ID 83676

(Mailing Address)

Telephone No. 482-7440

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 5/11/1948

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

groundwater tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 1.0 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12 Twp. 2N Rge. 4W B.M., County of Canyon

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well with 15 HP motor and pump into gravity ditch.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	12		40	40		40			40									160

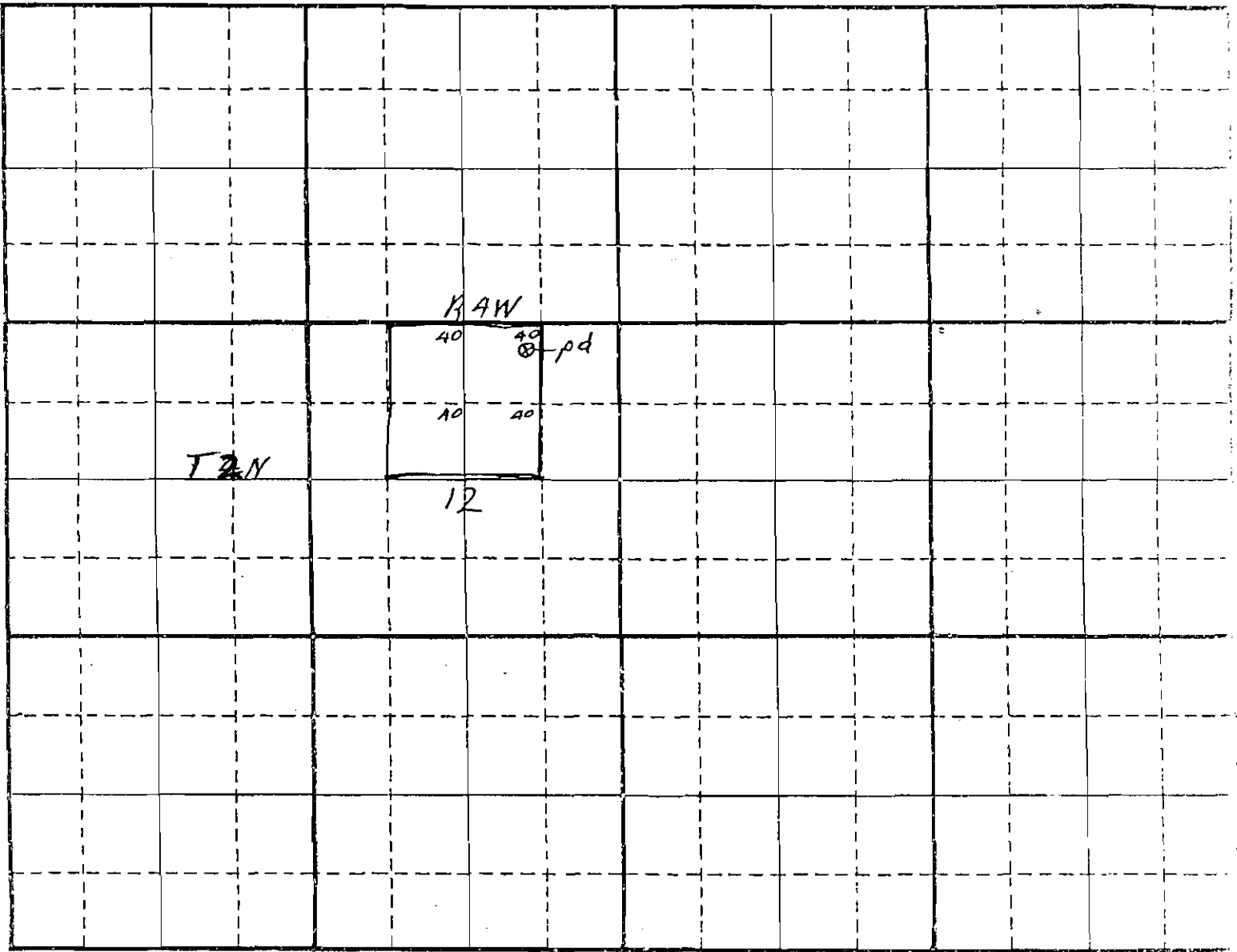
No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x John W. Burt President
(Claimant)

Sworn to before me this 18 day of November, 19 82.

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by chs Date 11/18/82 Exception filed by: _____ Date _____
Prelim. check by js Date 11/24/82 Forwarded to claimant by: _____
\$30.00 fee received by js Date 11/18/82 *23027
Published in Idaho Tribune
Dates 12/30/82 1/10/83

DN 48797

9818077

WARRANTY DEED
(CORPORATE FORM)BM
AM

CLOUDCROFT, INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at NAMPA of County of CANYON grantor, hereby CONVEYS or GRANTS and WARRANTS TO **BILL J. MATNEY and HELEN MATNEY, husband and wife** grantee of 2736 POLELINE RD E, TWIN FALLS, ID 83301 for the sum of —TEN AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS, the following described tract(s) of land in CANYON County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
MADE A PART HEREOF

Location of above described property **BARE GROUND**

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this May 13, 1998.

CLOUDCROFT, INC.BY Cloudcroft Inc by Joe Bidgans**STATE OF IDAHO**
COUNTY OF CANYON

On this 13TH day of MAY, 1998, before me, a notary public appeared Joe Bidgans who being by me duly sworn did say, each for him/herself, that he/she, the said Joe Bidgans is the RESIDENT of **CLOUDCROFT, INC.**, a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said Joe Bidgans duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Carol Shaw**CAROL SHAW**
NOTARY PUBLIC ★
STATE OF IDAHO

Notary Public
Residing at NAMPA, Idaho
My commission expires: 8-24-98

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83851

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN46176

EXHIBIT "A"

The East Half of the Northwest Quarter and the West Half of the Northeast Quarter of Section 12, Township 2 North, Range 4 West, Boise Meridian, Canyon County, Idaho, excepting therefrom:

A parcel of land lying in the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 12, Township 2 North, Range 4 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

BEGINNING at an iron pin marking the North One-Quarter corner of the said Section 12, also said point being the REAL POINT OF BEGINNING; thence

North 89° 45'54" East 3.00 feet along the Northerly boundary of the said Northwest Quarter of the Northeast Quarter of Section 12, which is also the centerline of Locust Lane, to an iron pin; thence

South 1° 23'38" West 304.22 feet to an iron pin; thence

North 89° 02'40" West 179.93 feet to an iron pin; thence

North 1° 23'38" East 300.48 feet to an iron pin on the Northerly boundary of the said Northeast Quarter of the Northwest Quarter of Section 12; thence

North 89° 45'54" East 177.00 feet along the said Northerly boundary of the Northeast Quarter of the Northwest Quarter of Section 12, which is also the centerline of the said Locust Lane, to the REAL POINT OF BEGINNING.



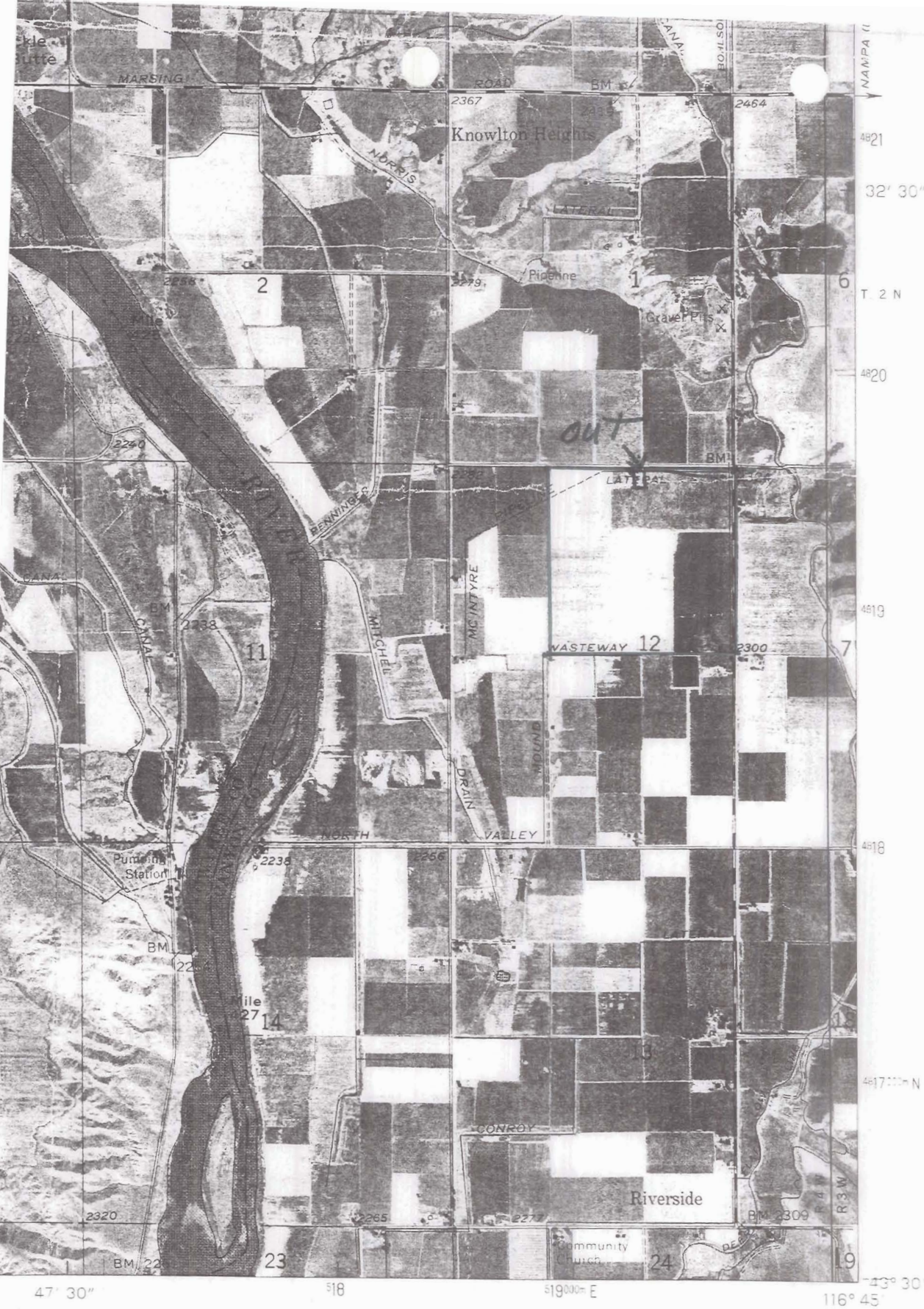
REQUEST
TYPE Search 6-22
PIONEER - NAMP

98 MAY 15 PM 4 46
NED J KERR
CANYON CNTY RECORDER
BY [Signature]

RECORDED

9818077

T2N



MARSING, IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04931
Date Received: 2/26/1990
Receipt No: 6014930
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLOUDCROFT INC. 208-482-7440
Address: 18981 FISH RD.
WILDER, ID 83676

2. Date of Priority: MAY 11, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	12	NE	NW	NE		CANYON

5. Description of diverting works:
WELL, 500' DEEP, 15 HP PUMP, TO GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	12	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0

A63-04931

Page 1

Date: 02/26/90

MICROFILMED

AUG 20 1992

10. Place of Use: Cont ed

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	12	SE	NW		IRR	40.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
WILDER IRRIG. DIST.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Secretary of
_____ Title
Closedcraft, Inc. that I have signed the foregoing
Organization
document in the space below as Secretary of
_____ Title
Closedcraft, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Clarice Barr
Signature of Authorized Agent

Sec. Closedcraft, Inc.
Title and Organization

2-26-90
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of FEBRUARY 19 90

Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

MICROFILMED

AUG 26 1992

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Rt. 1, Wilder, ID 83676 Telephone No. 482-7440
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 5/11/1948

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(cfs. af) (Domestic, Irrigation, Stock, Etc.) (Both dates inclusive) (Mo., Day) (Mo., Day)

Quantity	1.0 cfs	Use	Irrigation	Period of Use From	3/15	To	11/15
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 1.0 cfs TOTAL QUANTITY USED.
(cfs, af)

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well with 15 HP motor and pump into gravity ditch

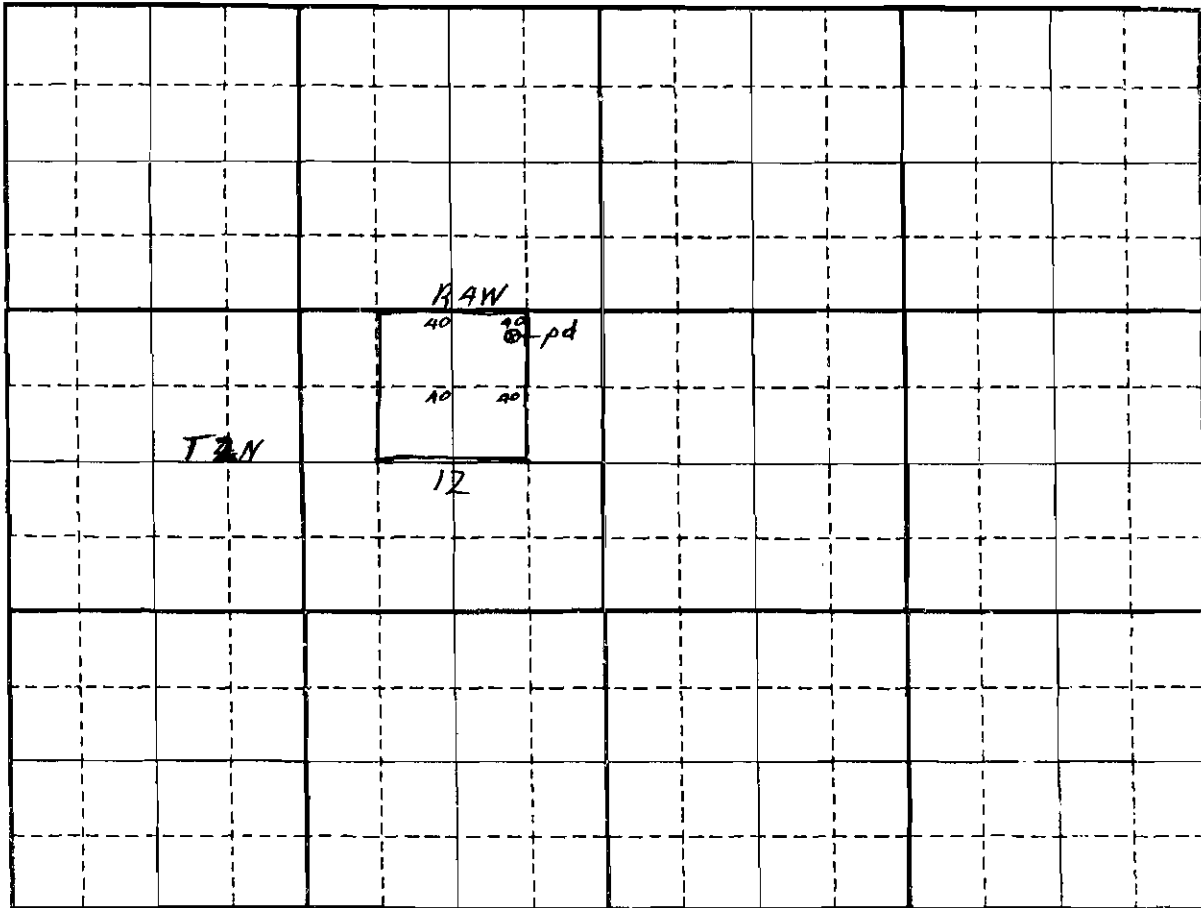
[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Julius Burt President
(Claimant)

Sworn to before me this 18 day of November, 19 82.

Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires Life

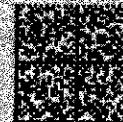
FOR DEPARTMENT USE ONLY

Received by CHS Date 11/18/82 Exception filed by: _____ Date _____
Prelim. check by CR Date 11/24/82
\$30.00 fee received by CHS Date 11/18/82 23027
Published in Shoshone Tribune
Dates 2/30 & 1/10/83

STATE OF IDAH
DEPARTMENT L
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



02 1A
0004310838 OCT 16
MAILED FROM ZIP CODE



ATTEMPTED NOT KNOWN

RECEIVED

OCT 16 2005

WATER RESOURCES
WESTERN REGION

BILL MATNEY

HELEN MATNEY

2736 POLELINE RD E

TWIN FALLS ID 83303

PLEASE FORWARD OR
RETURN TO SENDER

63-4931

03/17/2006

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

RIGHT NUMBER: 63-4931

NAME AND ADDRESS: HELEN MATNEY
2736 POLELINE RD E
TWIN FALLS ID 83303

BILL MATNEY
2736 POLELINE RD E
TWIN FALLS ID 83303

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
515.700 AFY

PRIORITY DATE: 05/11/1948

POINT OF DIVERSION:

T02N R04W S12 NENWNE 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	1.000 CFS 515.70 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R04W S12	NWNE	40.00	T02N R04W S12	SWNE	40.00
T02N R04W S12	NENW	40.00	T02N R04W S12	SENE	40.00

160 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 - Beneficial Use

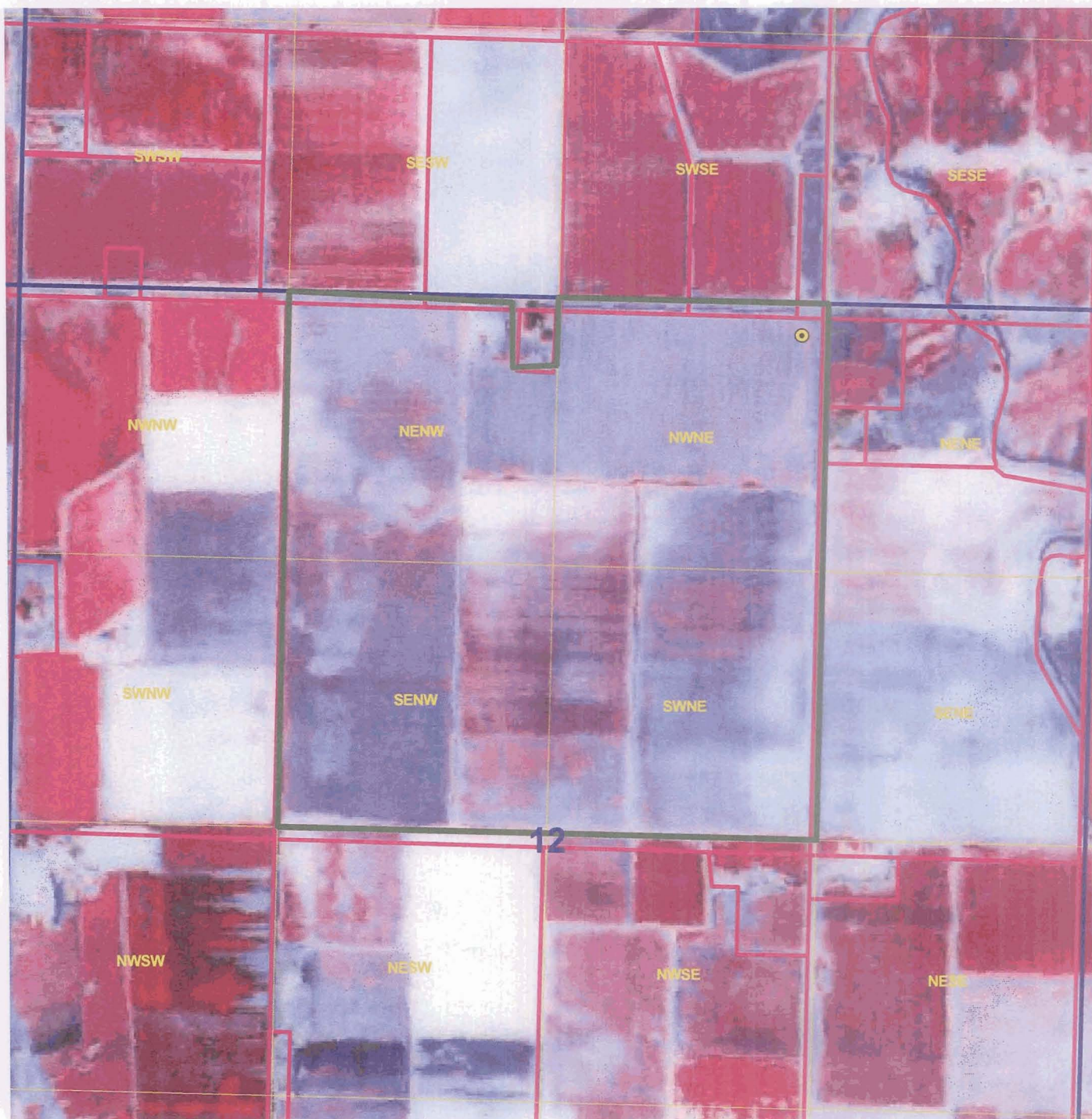
Use of this right is combined with water from Wilder Irrigation District.



Idaho Department of Water Resources

63-4931

T02N R04W S12



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 160



300 0 300 600 900 Feet

IDWR
Prepared by: Sandy Egbert
Date: March 17, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4931

WATER RIGHT NUMBER: 63-4931

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN MATNEY 2736 POLELINE RD E TWIN FALLS, ID 83303 (208)733-4919
Current Owner	BILL MATNEY 2736 POLELINE RD E TWIN FALLS, ID 83303 (208)733-4919
Original Owner	CLOUDCROFT INC 18981 FISH RD WILDER, ID 83676 (208)482-7440

Priority Date: 05/11/1948

Basis: ~~Statutory Claim~~ *BL*

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	~~3/15~~ to 11/15 3-1	1.000 CFS ✓	515.7
	<u>Total Diversion:</u>	1.000 CFS ✓	1. x 1.9835 x 260 days

Location of Point(s) of DiversionGROUND WATER
CANYON County

NE 1/4 NW 1/4 NE 1/4

Sec. 12, Twp 02N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	04W	12	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	160.0

Total Acres: 160 ✓

Conditions of Approval:

- OWNERSHIP CHANGED BY DB 10/8/98.

Remarks:*Welder Irrigation*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4931

WATER RIGHT NUMBER: 63-4931

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLOUDCROFT INC 18981 FISH RD WILDER, ID 83676 (208)482-7440

Priority Date: 05/11/1948

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 12, Twp 02N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	12		40.0	40.0		40.0			40.0									160.0

Total Acres: 160

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4931

03/14/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~4931~~	Claim	02N	04W	12	NW	NE		IRRIGATION	40/160	HELEN MATNEY
~~4931~~	Water Right	02N	04W	12	NW	NE		IRRIGATION	40/160	CLOUDCROFT INC
~~4931~~	Claim	02N	04W	12	SW	NE		IRRIGATION	40/160	HELEN MATNEY
~~4931~~	Water Right	02N	04W	12	SW	NE		IRRIGATION	40/160	CLOUDCROFT INC
~~4931~~	Claim	02N	04W	12	NE	NW		IRRIGATION	40/160	HELEN MATNEY
~~4931~~	Water Right	02N	04W	12	NE	NW		IRRIGATION	40/160	CLOUDCROFT INC
~~4931~~	Water Right	02N	04W	12	NE	NW		DOMESTIC		CHESTER L PEVLER
~~4931~~	Claim	02N	04W	12	SE	NW		IRRIGATION	40/160	HELEN MATNEY
~~4931~~	Water Right	02N	04W	12	SE	NW		IRRIGATION	40/160	CLOUDCROFT INC



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

October 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A63-04931

Bill Matney
Helen Matney
2736 Poleline Rd E
Twin Falls ID 83301

Dear Mr. & Mrs. Matney:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

CONVERSATION MEMORANDUM

DATE 5/29/97FILE A63-0493163-04931NAME OF PARTY Eugene HawkerEMPLOYEE Gary SpaulinaRE: Dairy developmentEugene Hawker11211 Riverside Rd.Caldwell, Id 83605

visited the office today. Hawker and other neighbors are contesting the development of a large dairy (2000 cows) south of Lake Lowell in the $W\frac{1}{2}NE\frac{1}{4}$ and the $E\frac{1}{2}NW\frac{1}{4}$ of Section 12, T02N, R04W, B.M. The land is owned by John Batt.

A Water right claim no. A63-04931 was filed in the SRBA under the name of Cloudercroft Inc. The claim describes irrigation of 160 acres of land.

Gene Hawker wants to know if an application for transfer is filed for the dairy use. We should try to notify Gene if we receive an application for transfer of claim no. 63-04931.

ject, however, to all prior rights. [1899, p. 380, § 32; reen. R.C. & C.L., § 3249; C.S., § 5565; I.C.A., § 41-110.]

Cited in: State v. Twin Falls Canal Co. (1919), 32 Idaho 544, 186 P. 912.
(1911), 21 Idaho 410, 121 P. 1039, writ of **Collateral References.** 78 Am. Jur. 2d, error dismissed 235 U. S. 690, 59 L. ed. 427, Waters, §§ 119-127.
35 Sup. Ct. 205; Kettenbach v. Walker

42-111. Domestic purposes defined. — For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

A. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

B. Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

For purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section. [1899, p. 380, part of § 12; reen. R.C. & C.L., § 3250; C.S., § 5566; I.C.A., § 41-111; am. 1990, ch. 319, § 1, p. 870.]

Compiler's notes. Section 2 of S.L. 1990, ch. 319 is compiled as § 42-221. 92 Idaho 747, 450 P.2d 310; Stevenson v. Steele (1969), 93 Idaho 4, 453 P.2d 819.

Sec. to sec. ref. This section is referred to in § 42-1401A.

Cross ref. Definition in underground water law, § 42-230.

Domestic purposes not to include land irrigation, § 42-914.

Cited in: Village of Peck v. Denison (1969),

Heating of Dwelling-houses.

Heating of dwelling-houses comes within the meaning of "domestic purposes." Public Utilities Comm. v. Natatorium Co., 36 Idaho 287, 211 P. 533 (1922).

42-112. Completion defined. — By completion is meant conducting the waters to the place of intended use. [R.S., § 3162; 1899, p. 380, § 7; reen. R.C. & C.L., § 3251; C.S., § 5567; I.C.A., § 41-112.]

Cited in: Schodde v. Twin Falls Land & Water Co. (1908), 161 Fed. 43, affd. 224 U. S. 107, 56 L. ed 686, 32 Sup. Ct. 470; Sand Point Water & Light Co. v. Panhandle Dev. Co. (1905), 11 Idaho 405, 83 P. 347.

42-113. In-stream livestock use. — A permit may be issued, but shall not be required for appropriation of water for the in-stream watering of livestock. In the consideration of applications for permits to appropriate water for other purposes, the director of the department of water resources shall impose such reasonable conditions as are necessary to protect prior downstream water rights for in-stream livestock use, and in the administration of the water rights on any stream, the director, and the district court where applicable, shall recognize and protect water rights for in-stream livestock use, according to priority, as they do water rights for other

purposes. "stock" means stream, with § 42-113,

Compiler's ch. 124 reads hereby declares provision of the provision to

42-114. of domestic making a person or deemed a As used drinking water source p. 498.]

Opinions tion does not of Water Right permitting purpose leases his land ing of stock.

SECTION. 42-201. W;

42-202. A;

42-203. [A 42-203A. N

42-203B. A

42-203C. H

42-203D. R

42-204. E

SNAKE RIVER



HYDRO POWER

(3-493)

IDAHO POWER COMPANY

November 16, 1982
Caldwell, Id. 83605

John Batt
Rt 1
Wilder, Id. 83676

Dear Mr. Batt:

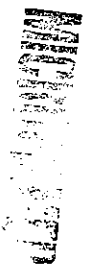
Enclosed is a photo copy of our work order which provided you with three phase power for 15 H.P. irrigation pump. The date is May 11, 1948. We hope this will be of help to you.

Sincerely,

Jackie Inglis
Eng. Clerk

Enc/1

Mel's
Claim -
No evid.
of priority
letter sent.
Good power
records



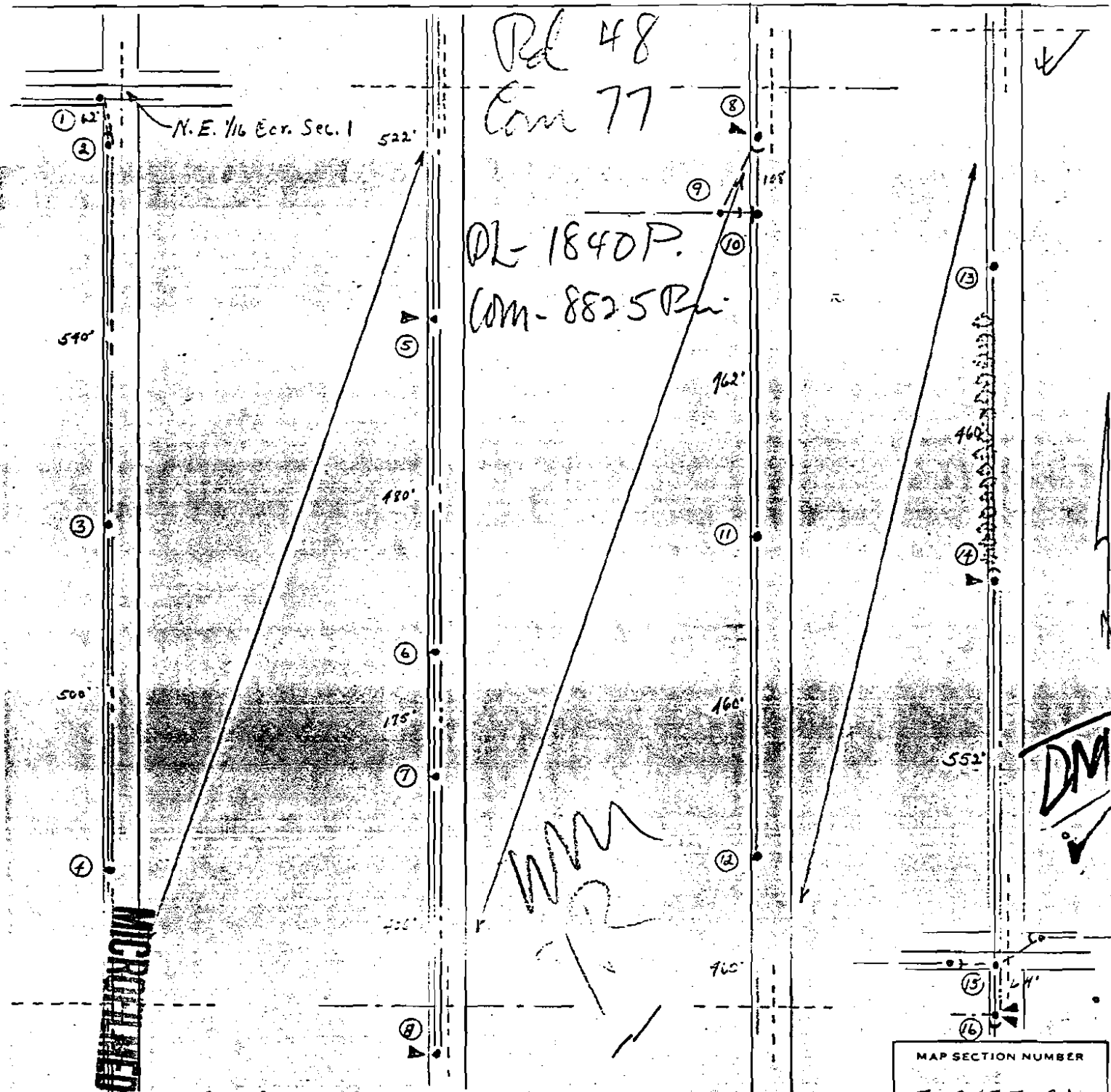
IDAHO POWER COMPANY
WORK ORDER MAP

21

460
184
4

JOB LOCATION Galdwell COUNTY Garnett SEC 1 TWP. 2 N RGE 4 W

DESCRIPTION John Batt - Inst. 34 Power Ser. 15 H.P. Irrigation
3/4 mile East & 1 mile So. Knowlton High School Cor.



PREPARED BY L.H. Parker DATE 5-11-48 SCALE

GENL. OFFICE PLATTING BY CHA DATE 9/29/48

MAP SECTION NUMBER
Z-2875-21
WORK ORDER NUMBER
CA-3905

IDAHO POWER COMPANY
WORK ORDER MAP

JOB LOCATION Caldwell COUNTY Canyon SEC. _____ TWP. _____ RGE. _____

DESCRIPTION John Batt - Inst. 3 ϕ Power for 15 HP. Irrigation
3/4 mile East, 1-mile So. of Knowlton Hights School Cor.

Pole Notes

- P. ⑮ Inst. 1-11-KV P+I - - Move Phase out.
P. ⑯ Inst. 1-40' P. - 1-DG-3-SB-1-DG-1-11-KV DE-1-11-KV + 1-4-KV P+I-
2-6484-TOL-2-T-G-7ps-1-3-spr-1-Key-2-7 1/2 KVA-7200V. H Mt.

Wire Notes

- Inst. 1/6 BC. Prim. approx. 62' from P.#1 To P.#2
Inst. 1/6-3 ss Prim. approx. 2623' from P.#2 To P.#8
Inst. 3/6-3 ss Prim. approx. 1950' from P.#8 To P.#14
Inst. 1/6-3 ss Prim. approx. 616' from P.#14 To P.#16
Inst. 2/6 BC. Prim. approx. 50' from P.#9 To P.#10
Rem. 2/6 BC. Prim. approx. 120' from P.#8 To P.#9

Notice

Open Disc. # H3F7E & leave fuse holder out. - 1-mile so. of
Pole #15

MICROFILMED

PREPARED BY L.H. Bader DATE 5-11-48 SCALE None

GENL. OFFICE PLATTING BY _____ DATE _____

MAP SECTION NUMBER

Sheet #2

WORK ORDER NUMBER

CA-3905

IDAHO POWER COMPANY
WORK ORDER MAP

JOB LOCATION Caldwell COUNTY CATYON SEC. _____ TWP. _____ RGE. _____

DESCRIPTION John Batt - Inst. 3/4 mile S. of Knowlton Heights School Cen.
3/4 mile E. 1-mile S. of Knowlton Heights School Cen.

Pole Notes

- P. ① Rem. 1-P.T.P. & 11-KV I. - 1-Ntr. Bkt. - 1-S6-
Inst. 1-D6-1-S6-2-11-KV P&I-1-Ntr. Bkt.
- P. ② Rem. 1-S6-1-1509-5-SW. 1-11-KV DE. - 1-P.T.P. & 11-KV I
Inst. 1-D6-1-S6-2-11-KV DE. 4-11-KV P&I-2-1509-5-SW.
- P. ③ Rem. 1-P.T.P. & 11-KV I
Inst. 1-S6-2-11-KV P&I.
- P. ④ Same as P. #3
- P. ⑤ Rem. 1-P.T.P. & 11-KV I. - 1-6484-TOL-1-T-Gap - Lower Transf.
Inst. 1-S6-2-11-KV P&I-1-Sec. R. ext. - 1-6484-TOL-1-T-Gap
- P. ⑥ Same as P. #3
- P. ⑦ Same as P. #3
- P. ⑧ Rem. 1-P.T.P. & 11-KV I. - 1-11-KV & 1-NDE - 1-6484-TOL-1-T-Gap-1-DG-Lower Transf.
Inst. 1-S6-2-11-KV P&I-1-Sec. R. ext. - 1-6484-TOL-1-T-Gap-Splice Prim.
Retie 3/6 Sec.
- P. ⑨ OK
- P. ⑩ Inst. 1-40' P. - 1-D6-1-S6-4-11-KV & 2-4-KV P&I-1-Ntr. Bkt.
- P. ⑪ Inst. 1-40' P. - 1-S6-2-11-KV P&I-1-Ntr. Bkt.
- P. ⑫ Inst. 1-45' P. - 1-S6-2-11-KV P&I-1-Ntr. Bkt.
- P. ⑬ Same as P. #12
- P. ⑭ Rem. - 1-6484-TOL-1-T-Gap-1-11-KV & 1-4-KV DE. - 1-11-KV P&I-1-DG-1-3-SPR.
Lower Transf.
Inst. 1-S6-1-6484-TOL-1-T-Gap-4-11-KV & 4-KV P&I-1-3-SPR. Splice Prim.
1-1/6 Sec.

MICROFILMED

PREPARED BY Y. K. Padia DATE 5-11-48 SCALE _____

GENL. OFFICE PLATTING BY _____ DATE _____

MAP SECTION NUMBER

Sheet #1

WORK ORDER NUMBER

CA-3905

Cloudercroft

7-24-95



Looking SE from NW corner of P/4



Cloudcroft 7-24-95
Looking S from road + at
NE corner



Looking SW from + @ NE corner
↙



Cloudcroft Ave. A63-04931
11:00. am Monday 7-24-95

to Joe Batt -
Corner of Riverside & Locust
Need well probe.

Static - ~~60~~ 48' 1909 info
Dynamic - ~~40~~ 80'

Motor GE - 15 Hp. Mdl. 12F58345
Pump. Sayne Ser #14359.

$$\frac{15 \times 8.8 \times .7}{(2.31 \times 0) + 80} = 1.16 \text{ cfs}$$

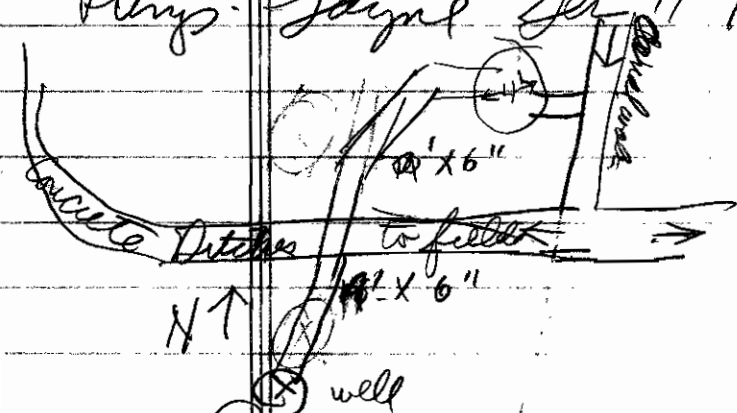


Photo #8 - Well, discharge pipes, collecting sump
and ditches (looking South)
#9, 10, 11 - P/U looking South & SE
from county road intersection
#12 - P/U looking SE from SW corner
of property.

P/U confirmed with Joe Batt to
be ASCS acres - 148.5

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-04931

<u>WR ELEMENT</u>	<u>FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION</u>	<u>FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE</u>	<u>CLAIM VERIFIED BY CODE (SEE BELOW)</u>	<u>CHANGE CLAIM Y/N</u>	<u>CLAIMANT CONTACT NEEDED - Y/N**</u>	<u>REVIEW COMPLETED WHOM/DATE</u>	<u>"R" RECORD</u>
<u>PRIORITY*</u>							
<u>PT. OF DIV.</u>							<u>DATA ENTRY COMPLETED</u>
<u>SOURCE</u>							<u>BY _____ DATE _____</u>
<u>PL. OF USE</u>							<u>FINAL RECOMMENDATION</u>
<u>DIV. AMOUNT CFS/AF</u>							<u>BY _____ DATE _____</u>
<u>CONSUMPTIVE USE</u>							
<u>NATURE OF USE</u>							
<u>PERIOD OF USE</u>							
<u>BASIS OF CLAIM</u>							
<u>REMARKS</u>							

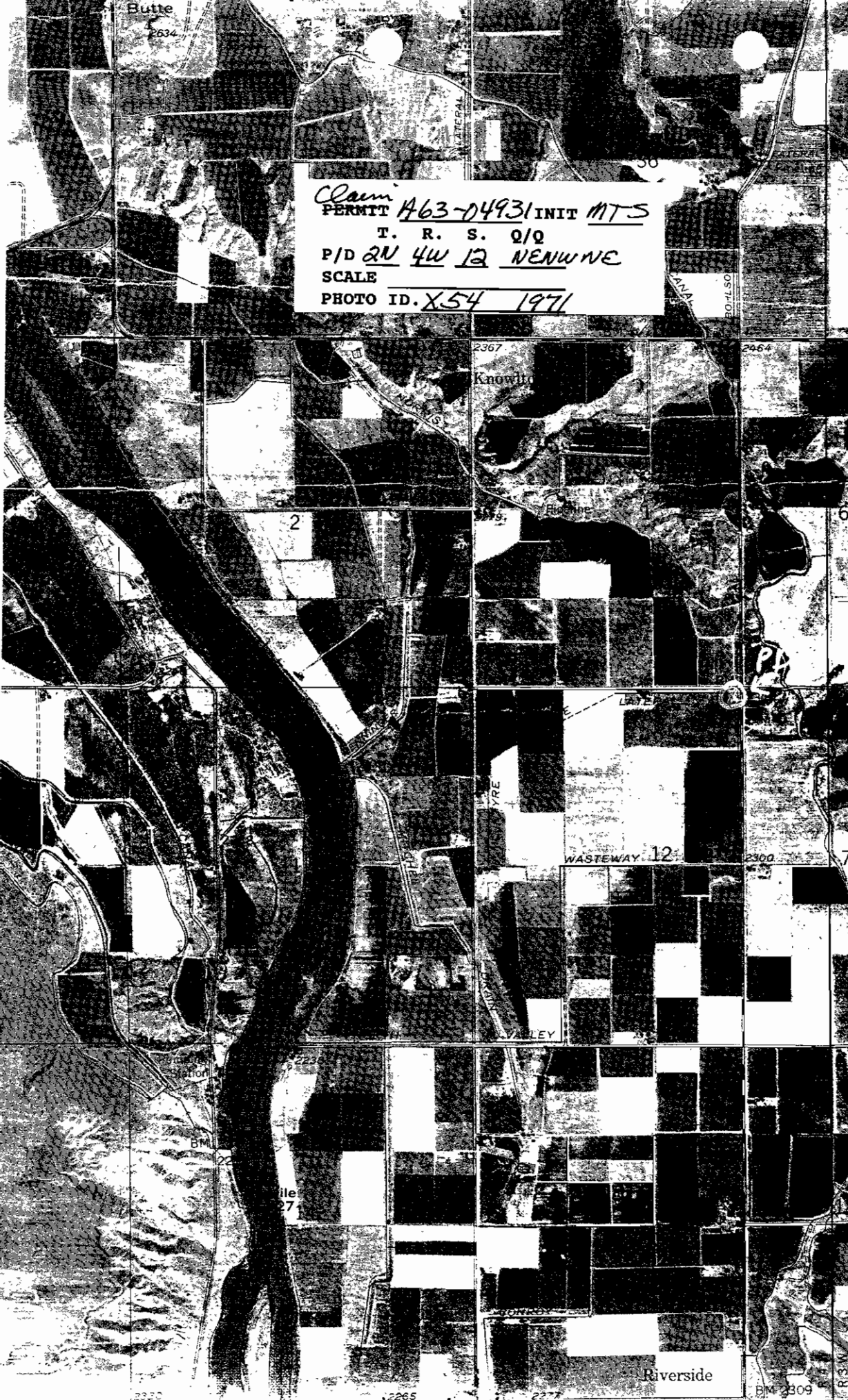
*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ☒ NO ☐.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: _____

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6



Claim
PERMIT 463-04931 INIT MTS
T. R. S. Q/Q
P/D 2N 4W 12 NENWNE
SCALE
PHOTO ID. X54 1971

T3N

T2N

423 N

NANIPA (U.S. 30) 15 MI.

4821

32' 30"

T 2 N

4820

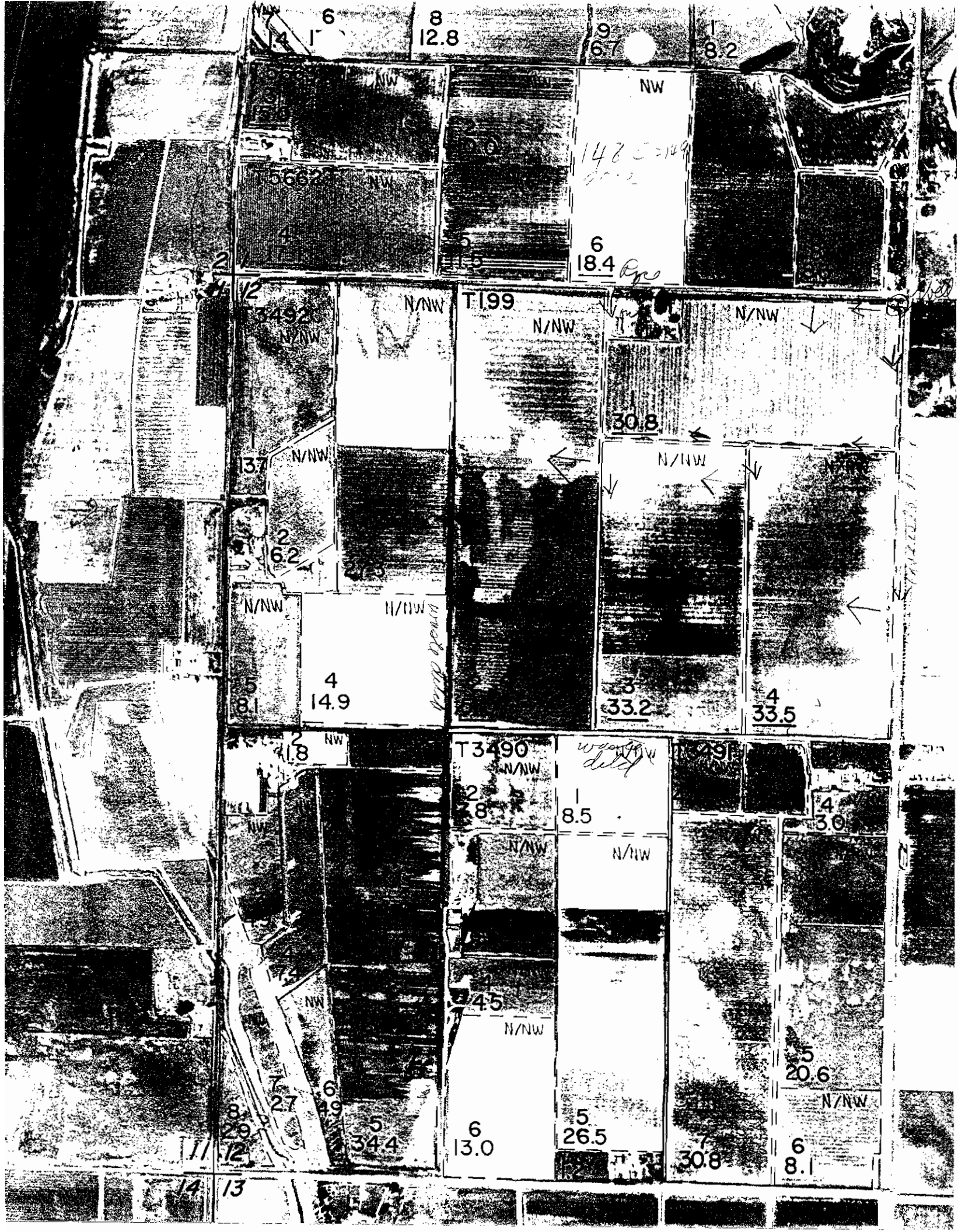
4819

4818

4817000m N

Riverside

BM 3309



(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A6304931	T02N R04W S12 GROUNDWATER			40	40			40				40						160
	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																	
6302388	BOISE RIVE :																	
A6302388	BOISE RIVE :																	
6304931	GROUNDWATE :			40	40			40										160
6305164	WASTE WATE :											08						8
6311842	GROUNDWATE :	17				34												51
M6311842	GROUNDWATE :	17				34												51
A6327489	GROUNDWATE :			40	40			0						S		S		160
R6327489	GROUNDWATE :	S						0				S		S				
R6328130	GROUNDWATE :	S										S		S				
C27Q-X 54 :		36	39	40	42	41	41	37	32	39	40	37	39	40	34	33	41	611
C73Q-X 54 :		37	39	40	42	42	42	40	41	38	42	42	39	39	38	36	37	634

Water Right Number - A63-04931

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CLOUDCROFT INC

1 - 18981 FISH RD
2 -
3 -
City- WILDER State- ID Zip- 83676
Phone - 208-482-7440

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/11/1948 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
02N 04W 12 NE NW NE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.000 560.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 04W 12 NW NE 40.0 01 IRRIGATION (27) CANYON
02N 04W 12 SW NE 40.0 01 IRRIGATION (27) CANYON
02N 04W 12 NE NW 40.0 01 IRRIGATION (27) CANYON
02N 04W 12 SE NW 40.0 01 IRRIGATION (27) CANYON

Total Acres: 160.0

+ - - Diversion Means - WELL, 500' DEEP, 15 HP PUMP, TO GRAVITY DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - WILDER IRRIG. DIST.

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

06/29/95 08:24:33
Page 2

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/02/90 PEPPERSA 03/30/95 POST-STD

-----+-----
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/17/1986	Old Judicial District	-
Claim Received Date	- 02/26/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C014930	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

X54 E- 7-14-87 126-42

