

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 47-2358B

Date Received:

Receipt No:

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MATHERS RANCH INC Phone: (208)423-5847
3485 E 3100 N
KIMBERLY ID 83341

2. Date of Priority: 11/06/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	18E	32	SW SW	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	1/01	12/31	0.09	20

7. Total Quantity Appropriated is:
0.09 C.F.S. and/or 20 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	18E	32	SW	SW	INDUSTRIAL	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

Rights 47-02256B, 47-02349B and 47-02358B when combined shall not exceed a total annual maximum diversion volume of 20.0 af and provide mitigation for consumptive use under Right 47-08428.

Industrial use is for a gravel washing plant.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

RECEIVED

JAN 16 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF ERROR
REPLY

11/15/2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 47-2358B

MATHERS RANCH INC

3485 E 3100 N

KIMBERLY ID 83341

Telephone Number: (208)423-5847

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

1-12-07

SIGNATURE:



Please print your name:

DOUG MATHERS

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

08/23/2005

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

RIGHT NUMBER: 47-2358B

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
20.000 AFY

The rights listed below are limited to a total combined diversion rate of 0.15 cfs. Combined Right Nos.: 47-2256B, 47-2349B, 47-2358B

The rights listed below are limited to a total combined annual diversion volume of 20 af. Combined Right Nos.: 47-2256B, 47-2349B, 47-2358B

PRIORITY DATE: 11/06/1961

POINT OF DIVERSION:

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>
INDUSTRIAL	1/01 12/31	0.090 CFS 20.00 AFY

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

PLACE OF USE: INDUSTRIAL Within TWIN FALLS County

T11S R18E S32 SWSW

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.

Rights 47-02256B, 47-02349B and 47-02358B when combined shall not exceed a total annual maximum diversion volume of 20.0 af and provide mitigation for consumptive use under Right 47-08428.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

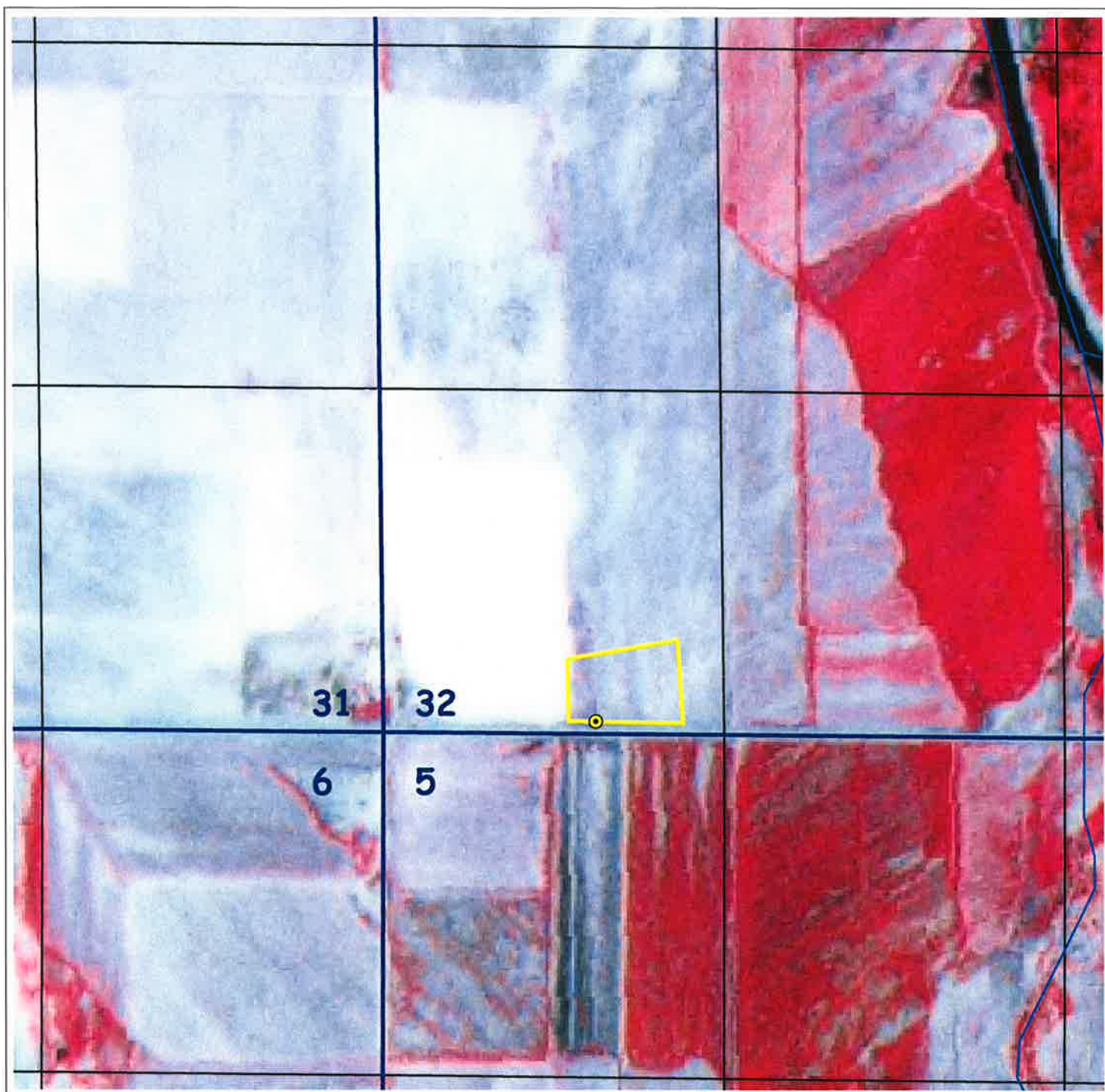
The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Industrial use is for a gravel washing plant.

Idaho Department of Water Resources

Rights: 47-2256B, 47-2358B, 47-2349B

Recommended Place of Use
TWP 11S RNG 18E S32
Prepared June 21, 2005



660 0 660 1320 Feet



-  Recommended Point of Diversion
-  Recommended Place of Use
-  Section Lines
-  Quarter Section Lines

GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

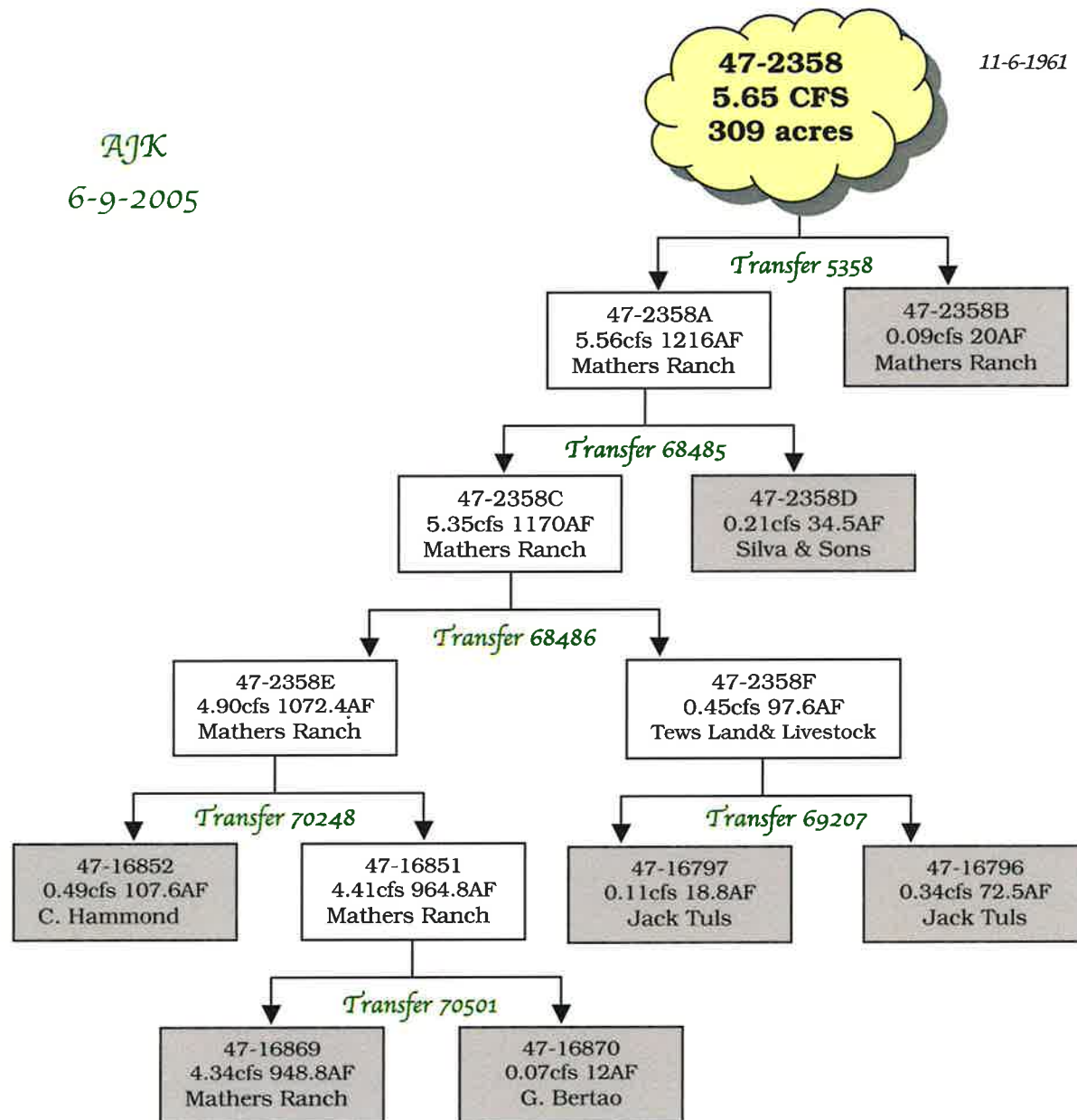
47-2256B, 47-2349B, & 47-2358B



2004 Imagery

AJK
6-9-2005

11-6-1961



Total: 5.65 CFS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5358
WATER RIGHT NO(S). 47-02256B/47-02349B/47-02358B

Southern AJ
RECEIVED

MAR 08 1999

Department of Water Resources
Southern Region

This is to certify that: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 47-02256B : INDUSTRIAL Priority: 08/08/1954	01/01 to 12/31	0.05 CFS	20.0 AF
Right No. 47-02349B : INDUSTRIAL Priority: 04/03/1961	01/01 to 12/31	0.01 CFS	4.2 AF
Right No. 47-02358B : INDUSTRIAL Priority: 11/06/1961	01/01 to 12/31	0.09 CFS	20.0 AF
TOTAL:		0.15 CFS	* 20.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 32, Township 11S, Range 18E
TWIN FALLS County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

11S 18E 32 SWSW

CONDITIONS OF APPROVAL AND REMARKS

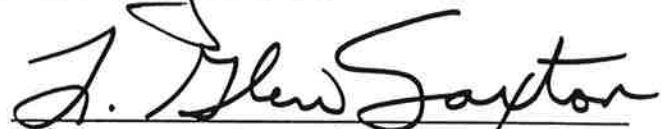
1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5358
WATER RIGHT NO(S). 47-02256B/47-02349B/47-02358B

CONDITIONS OF APPROVAL AND REMARKS

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 5. Rights 47-02256B, 47-02349B and 47-02358B when combined shall not exceed a total annual maximum diversion volume of 20.0 af and provide mitigation for consumptive use under Right 47-08428.
6. Industrial use is for a gravel washing plant.

Dated this 26th day of February, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 47-02256, 47-02349 & 47-02358

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5358

DATE: February 25, 1999

Transfer 5358 changes the point of diversion, nature and season of use under a portion of Rights 47-02256, 47-02349 & 47-02358, splitting each right into Parts A and B.

The applicant is removing 5 acres from irrigation and using the water for industrial use at a gravel washing plant on the same property. This transfer also provides mitigation for the consumptive use of the industrial storage ponds under Permit 47-08428 also being processed at this time. The applicant uses one of the existing irrigation wells to provide for the gravel operation. Wastewater from the washing plant will be stored in ponds and recycled to the washing plant as needed. The pond system will consist of less than 5 acres surface area and no expansion of use occurs through this change in nature of use.

Season of use was adjusted to year round industrial use and diversion volume limited to the standard volume associated with 5 acres of irrigation. Recommended conditions include water quality, combined limits, land application limits and standard transfer conditions.