COPY

1998 APR 10 PM 2:48

DISTRICT COURT - SRBA
TWIN FALLS CO., 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 SRBA	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS**
Case No. 39576	)	
	)	**SUB CASE NO. 36-08012**

IDWR has completed the following Administrative proceeding: **LICENSE ISSUED**

Name of Claimant:

Magic Valley Investment Group
2709 E 800 S
Hazelton ID 83335
(208) 438-5437

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: 4/1/98

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-10, 1998, I mailed the original and copies of this form to the following persons, postage prepaid 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. One Copy to:
   Claimant or attorney of record:
   Magic Valley Investment Group
   2709 E 800 S
   Hazelton ID 83335

3. One Copy to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

4. One Copy to:
   United States Dept Of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Patricia Tivcett

Signature of person or attorney mailing the form

AJ5856NP

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

DATE: APR-9-1998
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-08012

NAME & ADDRESS: MAGIC VALLEY INVESTMENT GROUP
2709 E 800 S
HAZELTON ID 83335

FILED
1998 APR 10 PM 2:48
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
3.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/24/1981

POINT OF DIVERSION: T09S R21E S17 NWNENE Within JEROME County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 4 HOMES	01-01 12-31	0.04 CFS
		3.0 AFY

PLACE OF USE: DOMESTIC Within JEROME County
T09S R21E S17 NENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PARCEL NO. RL09S21E170010

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

April 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAGIC VALLEY INVESTMENT GROUP
2709 E 800 S
HAZELTON ID 83335

RE: SRBA Claim(s) 36-08012

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MAGIC VALLEY INVESTMENT GROUP 2709 E 800 S HAZELTON ID 83335 (208) 438-5437	12/24/1981	DOMESTIC	01-01	12-31	0.04 CFS	3.00 AFA
				TOTAL DIVERSION:		0.04 CFS	3.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T09S R21E S17 NWNENE JEROME County

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
09S	21E	17	D															

POU County: JEROME

Non-Irrigation Uses: 4 HOMES

Other Rights: NONE

Remarks: EXP PARCEL NO. RL09S21E170010

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MAGIC VALLEY INVESTMENT GROUP PO BOX 2469 TWIN FALLS ID 83301	12/24/1981	DOMESTIC	01/01	12/31	0.040 CFS	3.00 AFA
				TOTAL DIVERSION:		0.040 CFS	3.00 AFA

C IDAHO CONSOLIDATED DAIRY FARMS
C/O AURORA CAPITAL CORP
PO BOX 13455
BOULDER CO 80308-3455

C DBA MATTCO DAIRY NO 3

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T09S R21E S17 NENE JEROME County

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
09S	21E 17	D															

Pou County: JEROME

Conditions of Approval:

R54 - Issuance of this license does not preclude a determination of
- forfeiture of this right through non-use which may include a
- period of time beginning subsequent to the licensing field
- examination conducted by the department.

Remarks: GEN Domestic use is for 4 homes.

Dates: App. Received: 11/04/1981 Priority Date: 12/24/1981
Proof Due Date: 01/01/1987 Proof Made Date: 09/01/1982
Exam Made Date: 05/18/1990 Exam Sent to S.O.:
Licensed Date: 07/09/1991

Misc: Water District Number: Field Exam Fee: R (Received)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MAGIC VALLEY INVESTMENT GROUP 2709 E 800 S HAZELTON ID 83335 (208) 438-5437	12/24/1981	DOMESTIC	01-01	12-31	0.04 CFS TOTAL DIVERSION: 0.04 CFS	3.00 AFA CONSUMPTIVE USE: 3.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T09S R21E S17 NWNENE JEROME County

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
09S	21E 17	D															

POU County: JEROME

Non-Irrigation Uses: DOMESTIC 4 HOMES

Other Rights: NONE

Conditions of Approval:

A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: GEN PARCEL NO. RL09S21E170010

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	MAGIC VALLEY INVESTMENT GROUP 2709 E 800 S HAZELTON ID 83335 (208) 438-5437	12/24/1981	DOMESTIC	01-01	12-31	0.04 CFS	3.00 AFA
					TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER Tributary to: Stage: PERMIT

Point(s) of Diversion: T09S R21E S17 NWNENE JEROME County

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
09S	21E 17	D															

POU County: JEROME

Non-Irrigation Uses: 4 HOMES

Other Rights: NONE

Conditions of Approval:

A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: EXP PARCEL NO. RL09S21E170010

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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: **A36-08012**
Date Received: 3/09/1990
Receipt No: S011738
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAGIC VALLEY INVESTMENT GROUP 208-438-5437
   Address: 2709 E. 800 S.
   HAZELTON, ID 83335

2. Date of Priority: NOV 04, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09S	21E	17	NW NE NE		JEROME

5. Description of diverting works:
   WELL, PUMP, MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   D/4 HOMES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	21E	17	NE NE		DOMEST	

11. Place of use in counties: JEROME

MICROFILMED
FEB 05 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

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: _____

For Organizations:

I do solemnly swear or affirm that I am Manager of
Title
Maggie Valley Dairy Group, that I have signed the foregoing
Organization
document in the space below as Manager of
Title
Maggie Valley Dairy Group and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Mgr Maggie Valley Dairy Group
Title and Organization

4/2/90
Date

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 2nd day
of April 19 90

Notary Public

Seal

Residing at Kimberly, ID

My Commission Expires 6/30/94

MICROFILMED
FEB 05 1993

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-08012

NAME & ADDRESS: MAGIC VALLEY INVESTMENT GROUP
2709 E 800 S
HAZELTON ID 83335

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/24/1981

POINT OF DIVERSION: T09S R21E S17 NWNENE Within JEROME County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC DOMESTIC 4 HOMES	01-01 12-31	0.04 CFS 3.0 AFY

PLACE OF USE: DOMESTIC Within JEROME County
T09S R21E S17 NENE

CONSUMPTIVE USE: 3.0 AFY

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.
PARCEL NO. RL09S21E170010

EXPLANATORY MATERIAL: BASIS OF CLAIM - PERMIT

ck to see if updated license needs NCAP before updating remarks etc if we can reformat as a lic it and run thru as an admin correction. KKC

cked on WRS now licensed Pull from list

Doc-1 KKC file

needs NCAP

NCAP filed 4-10-98 RB

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A36-08012 ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (O) NUMBER -

+ - - - - - - - - LAST NAME - - - - - - + + - FIRST NAME - - + + - - - - - - - - - - ADDRESS - - - - - - - - - - - - - - - +

*** C - CURRENT OWNER ***
MAGIC VALLEY INVESTMENT GROUP

1 - 2709 E. 800 S.
2 -
3 -
CITY- HAZELTON STATE- ID ZIP- 83335
PHONE - 208-438-5437

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
11/04/1981 17 ERROR IN REGION P - PERMIT

+ - - - - - - - - SOURCE - - - - - - - - - - - - - + + - - - - - - - - - TRIBUTARY - +
GROUNDWATER

+ - POINT OF DIVERSION - +

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	STREAM INDEX (BLANK IF NO INDEX CODE)
09S	21E	17	NW NE NE			(53) JEROME	

+ - WATER USE - +

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31	0.100	

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.100

+ - PLACE OF USE - +

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
09S	21E	17	NE NE			43	DOMESTIC	(53) JEROME

TOTAL ACRES:

+ - - DIVERSION MEANS - WELL, PUMP, MOTOR

+ - - NON-IRRIGATION USE - 0/4 HOMES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - REMARKS - +
NO REMARKS FOUND.

+ - OLD WATER RIGHT NUMBERS - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - CONDITIONS OF APPROVAL - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

MICROFILMED
FEB 05 1993

WATER RIGHT NUMBER - A36-08012 ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

-COMMENTS-
NO COMMENTS FOUND

AUDIT FIELDS - 04/03/90 MERRITT

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	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 04/02/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S011738	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	-	PRESUMPTION FLAG	-

RL 09S 21E 17001D

DATA ENTRY
ENTERED PC 5-21-91
CHECKED 2/27/92

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED
JAN 2[illegible] 1991
WATER EXAMINER

VERIFIED
JAN - 1991