



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave West, Suite 500 • Twin Falls, Idaho 83301

Phone: (208) 736-3033 • FAX: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

GARY SPACKMAN

December 7, 2015

RE: Transfer No. 80058 in the name of Mathers Ranch Inc.

Gentlemen:

Our office was contacted today regarding IDWR's letter dated December 2, 2015, which outlined a potential resolution of the protests of this transfer. Mr. Kinsey phoned and indicated that after consultation with other members of N Ranch LLC they still had an issue with Mathers's water use in the Kinsey-Williams ditch (Specifically draft right 47-17653). Subsequent to Mr. Kinsey's phone call Mr. Mathers phoned our office indicating that he would forgo the use of draft right 47-17653 as long as the water associated with that use was moved to the draft right 47-17650 (No loss of water).

In conformance with this understanding the enclosed modifications of draft records 47-17653 and 47-17650 have been made. (Note that if transfer 80053 is approved record 47-17653 would not become active and not be deliverable. Also note that the drafts of records 47-17651 and 47-17652 are not changed.)

Please look these drafts over and if you have questions or proposed modifications let me know. Please try to get comments back to me within 14 days. If needed we can schedule another telephone conference to address any further issues.

Thanks again for your cooperation in working toward resolution of this matter.

Respectfully,

Allen Merritt, PE
Southern Region Manager

Enclosures:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of December, 2015, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Document Served: **Cover letter & amended attachments describing proposed water right splits, related to protested transfer no. 80058 in the name of Mathers Ranch Inc.**

MATHERS RANCH INC
DOUG MATHERS
3485 E 3100 N
KIMBERLY, ID 83341

N RANCH LLC
JAMEY KINSEY
3497 E 3000 N
KIMBERLY, ID 83341

BUREAU OF LAND MANAGEMENT
FRED PRICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

W T WILLIAMS INC
3094 N 3200 E
TWIN FALLS, ID 83301

TOM WILLIAMS
2600 N 2991 E
TWIN FALLS, ID 83301

COLEMAN RITCHIE & CLUFF
DAVID A COLEMAN
PO BOX 525
TWIN FALLS, ID 83303-0525

A handwritten signature in cursive script, reading "Denise Maline", written over a horizontal line.

Denise Maline
Administrative Assistant

12/7/2015

Priority Date: 3/15/1958
Basis: Deceased
Status: See Remarks DRAFT

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.020 CFS	
	Total Diversion		0.020 CFS	

Place Of Use
STOCKWATER within TWIN FALLS County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	18E	8		X	X											X			

1.	N11	The quantity of water decreed for this water right is not a determination of historical beneficial use.
2.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3.	C18	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.
4.	X02	Stockwater use is for 200 range cattle.

1.	amerritt	11/30/2015	draft
Drafted to resolve protest. Record to record stockwater drinking from existing ditch to Kinsey and Williams on Mathers property.			
2.	amerritt	12/1/2015	POD
Updated Shape			
3.	amerritt	12/1/2015	POU
Updated Shape			

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 47-17653

12/7/2015

4. amerritt 12/7/2015 Modification

This record is being modified to reflect the change in proposed resolution of transfer No. 80058. Initially it was intended to provide a right for stockwater use in the Kinsey-Williams ditch but this was not approvable so the water under this record was incorporated in 47-17650.
THIS IS NOT A VALID WATER RIGHT.

Dates and Other Information

Decreed Date: 6/1/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

12/7/2015

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 47-17650

12/7/2015

2. amerritt 12/1/2015 POD
Updated Shape

3. amerritt 12/1/2015 POU
Updated Shape

4. amerritt 12/7/2015 Modification

This draft was modified to incorporate the 0.02 cfs that was previously contained in 47-17653 but since 47-17653 is forgone this water was moved back to the unchanged portion retained by Mathers. POU and POD as drafted does not change.

Dates and Other Information

Decreed Date: 6/1/2010

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A