RECEIVED
FEE $100.00
APR 02 2014
WATER RESOURCES
WESTERN REGION

Form 42-222(4) Rev. 09/12

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 31 2014
DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 63-31348 V1 (one right per application)

   ☑ Attach a copy of the water right record, available at *http://www.idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

2. Applicant Russell MATSON, AMANDA MATSON Phone 208-573-1388

3. Are you the current water right holder of record? Yes ☑ No ☐

   ☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.

4. Mailing address ☐ Same as water right record -- OR -- complete the following information:

   Address 5040 S 81 St City OMAHA

   State NE Zip code 68127 Email Russell@matsonent.com

5. Give the last date water was beneficially used August 2013

6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time. Attach additional documentation if needed.

   6 Acres was watered in 2013, 6 Acres were Dry. All 12 Acres are To Be watered pasture, But lost work and need more Time To get it planted and water lines installed.

The information contained in this application is true to the best of my knowledge.

Signature of applicant or authorized agent	Print name (and title, if applicable)	Date
	Russell MATSON	3-18-14
	Amanda J MATSON	3-18-14

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* _____

Signed this _____ day of _____, 20_____. _____

Title: _____

Stamped received ☑ Fee receipted by CS Date 3/31/14 Receipt # C098600

Water Right 63-31348

Owner Type	Name and Address
Current Owner	AMANDA MATSON 524 3RD ST S #102 NAMPA, ID 83651
Current Owner	RUSSELL MATSON 524 3RD ST S #102 NAMPA, ID 83651

Priority Date: 12/17/1971
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/15	0.130 CFS	54.0 AF
	Total Diversion		0.130 CFS	54.0 AF

Source and Point(s) of Diversion

GROUND WATER	SWSW	Sec. 5, Twp 01N, Rge 01W, ADA County

Place Of Use

IRRIGATION within ADA 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
01N	01W	5											8.0	4.0					12.0

POU Total Acres: 12.0

Conditions of Approval:

1.	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.
2.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5.	01M	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.
6.	R65	This right when combined with all other rights shall provide no more than 0.02 cfs per

acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

7. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. X35 Rights 63-31346 and 63-31348 when combined shall not exceed a total diversion rate of 0.20 cfs, a total annual maximum diversion volume of 54.0 af at the field headgate, and the irrigation of 12 acres.
9. X60 Point of diversion and place of use are located within Lot 3, Blk. 1, Boyer Heights Subdivision.

Comments:

1. scurtis 5/21/2003 Transferred Right
This is now a approved transfer, transfer number = 69547

Dates and Other Information

Decreed Date: 3/19/2009
Civil Case Number: 39576
Judicial District: FIFTH
Owner Name Connector: And
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

Rate	Volume	Acres
0.200	54.0	12.0

63-31346 ,63-31348

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, July 10, 2014 1:39 PM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Ada Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Janice Hildreth,

Please see the attached ad for publication on 7/17/2014 & 7/24/2014.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Sommer
Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190| Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

July 10, 2014

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application for Permit No. 63-33944
Application for Extension No's: 63-31346 & 63-31348

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/4/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33944
JEFFREY BENTZ
CHERYL WAY
3470 S KESTREL CRY LN
KUNA, ID 83634
(2)Points of Diversion L1(NENE) S5 T01N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.24 CFS
Total Diversion: 0.24 CFS
Date Filed: 4/18/2014
Place of Use: IRRIGATION
T01N R01W S5 L1(NENE) SENE
Total Acres: 12
Water bearing zone to be appropriated is from 39 to 300 feet.

EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHTS

Russell & Amanda Matson of 5040 S. 81st St., Omaha, NE 68127 filed Applications proposing Extension of Time to Avoid Forfeiture for Water Right Nos. **63-31346** and **63-31348** with 1963 and 1971 priority dates from ground water totaling 0.20 cfs. The irrigation rights were last used in 2013. The rights serve property located between Robinson Rd. and the Waldvogel Canal approximately 0.75 miles south of Canyon and Ada County lines. The applicant requests the extensions of time to complete installation of water lines to entire property.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for specific details of the application provided under the above referenced right number. Protests may be submitted based on the criteria of Sec 42-203A and 42-222, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of $25.00 for each application on or before 8/4/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 7/17/2014 and 7/24/2014