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AUG - 4 2003

Department of Water Resources

August 1, 2003

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Sir:

Referring to Jim Jones & Associates correspondence of July 30, 2003:

Mr. Jones clearly did not read, or ignored, my letter to the Clerk of the District Court dated July 15, 2003. My letter states that the " initialed" copies of 51-10207 do not agree with July 3, 2003 Special Masters Report. The initialed copies are what everyone agreed to, Kohring's signed them June 6, 2003, Mr. Jones signed them June 11, 2003, Robertson's signed them June 20, 2003. Susan Wildwood signed them June 22, 2003, and IDWR signed them June 25, 2003.

As the signed and initialed copies of the Standard Form 5 do not contain the words "4 homes" the Special Masters Report should conform to the agreed upon conditions.

The signed and initialed forms for 51-10207 are in the names of Kent and Virginia Kohring not Tri-Vial Inc. and this should be corrected.

For your convenience copies of my letter of July 15, the initialed recommendation of IDWR and the July 3, 2003 District Court Recommendation are included.

Eugene F. Robertson

July 15, 2003

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

I am enclosing copies of two pages of the Special Masters Report that seem to be in error. The first on 51-12976 has what seems to be a computer error (circled in red). It should be Owyhee not ERROR. The second seems to be a transfer error in that the initialed copy of 51-10297 does not contain the words "4 homes" after Domestic.

Thank you for your time.

Eugene Robertson
29102 Davis Rd.
Bruneau, ID. 83604

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

RIGHT NUMBER: 51-10207

NAME AND ADDRESS: KENT KOHRING
VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU ID 83604

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION:

T06S R04E S25 SWNWSE Within Owyhee County

~~T06S R04E S26 SWNWSE Within Owyhee County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.03 CFS
DOMESTIC	01/01 12/31	0.1 CFS

PLACE OF USE: STOCKWATER Within Owyhee County

T06S R04E S25 NWSE

DOMESTIC Within Owyhee County

T06S R04E S25 NWSE

~~T06S R04E S26 SWNW~~

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 100 RANGE CATTLE.

Handwritten signatures and initials:
KSK
JLK-
G
J.K.
CD
JTB

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

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 51-10207

2003 JUL -3 PM 3:48

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: TRI VIAL INC
HC 85 BOX 139E
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION: T06S R04E S25 SNWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 4 HOMES	01-01 TO 12-31	0.10 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Stockwater	Within Owyhee County
	T06S R04E S25	NWSE
	Domestic	Within Owyhee County
	T06S R04E S25	NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JUL 3 2003

SPECIAL MASTER