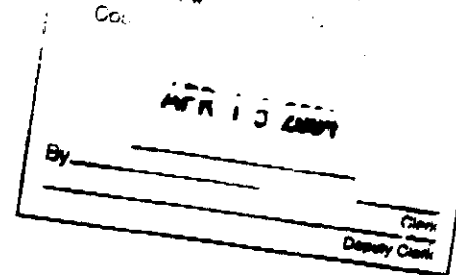


3179 N 4750 E
Murtaugh, Idaho
83344
April 11, 2004

Snake River Basin Adjudication Court
P.O. Box 2707
Twin Falls, Idaho
83301



Re: Water Right 45-10125

Dear Judge Melanson:

I am requesting that my Partial Decree issued 7-24-98 be amended to the SRBA Decree due to the following errors:

- (1) Address correction: Correct address is 3179 N 4750 E.
- (2) Domestic and Stock water Point of Diversion is East of County Road 4750 E which was incorrectly decreed West of County Road 4750 E. The Point of Diversion should correctly be described as 11S 20E Section 21 SW NW NE.

I was unaware of these mistakes until two weeks ago while checking with the Water Resource Board in Twin Falls. My former husband, now deceased, and I purchased this property in 1958 from Harold Menser and Geneva Menser and Harold's mother Lillie Menser. I still retain all the records pertaining to this purchase which you may review if necessary.

Yours Truly,

Peggy B. Gardner Kelly
Phone: 208 432 5524

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08/25/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-10125

WATER RIGHT NUMBER: 45-10125

Owner Type

Current Owner

Name and Address

PEGGY GARDNER KELLY
31750 4750 E
MURTAUGH, ID 83344
(208)432-5824

Priority Date: 05/01/1980

Basis: Decreed

Status: Active

Source

GROUND WATER

IrrigationBeneficial Use

STOCKWATER

DOMESTIC

From To

8/15 to 4/01

1/01 to 12/31

Diversion Rate

0.030 CFS

0.040 CFS

Total Diversion:

0.040 CFS

Annual Volume

* \$ 100.00 filing fee

* public notice
legal notice

Times News

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

NE1/4NW1/4

Sec. 21, Twp 11S, Rge 20E, B.M.

west of road

Place of Use

STOCKWATER

change to SWNWNE

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	20E	21	NE	NW	SW	SE	X	NE	NW	SW	SE	NE	NW	SW	SE

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	20E	21	NE	NW	SW	SE	X	NE	NW	SW	SE	NE	NW	SW	SE

Conditions of Approval:

- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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03/25/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-10125Remarks:

1. Explanatory PARCEL NO. 11S20E212400 STOCKWATER, 40 CATTLE

Comments:

1. CORP3 8/21/1997 COPIED FROM REMARKS
Comment: PARCEL NO. 11S20E212400 STOCKWATER, 40 CATTLE

Data and Other Information:

Licensed Date:
Decreed Date: 7/24/1988
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 38576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carney Act Number:
Mitigation Plan: False

Combined Use Limits: