



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 25, 2003

STEPHEN C HURLEY
9737 W POCATELLO CK RD
POCATELLO ID 83201

RE: Amendment of Snake River Basin Adjudication (SRBA) claim 29-00446C

Dear Mr. Hurly,

In February of 2003 the Idaho Dept. of Water Resources sent out preliminary recommendation for SRBA claims filed in Basin 29. Claim 29-00446C was included in Basin 29. At that time IDWR requested the claimants to submit a Notice of Error reply to inform the department if an error was made on the recommendation for their water right claim.

IDWR did not receive a notice of error reply specifically related to your water right, however, we did receive a notice of error replay from one of your neighbors that claimed a portion of the same Decreed right that you did (Larry Foulkrod).

Mr. Foulkrod felt that the following language should not be included on his water right recommendation:

RIGHT INCLUDE ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

I reviewed the file and feel that this language should be removed from Mr. Foulkrod's right, which in turn means it should be removed from yours.

In addition, I originally recommended the season of use for stockwater as 4/1 to 10/31. After reviewing the decree, I feel I can change the recommended season of use for stockwatering purposes to year round use as claimed. That change has been made on the recommendation.

I am enclosing a copy of the amended preliminary recommendation for 29-00446C. Please look over the recommendation and if it looks satisfactory, no further action needs to be taken. The SRBA court will notify you at the time the Directors report is issued.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau