



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

December 6, 2005

Diana Delaney
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Typographical Error in Partial Decree for Water Right No. 45-11912

Dear Diana:

It has recently come to the Department's attention, through an administrative proceeding for ownership change, that there is a typographical error in the Court's partial decree for water right no. 45-11912.¹

It appears from the Department's records that the typographical error in water right no. 45-11912 is the result of an error in the Department's Director's Report for Basin 45 for Irrigation and Other Water Rights.

Water right no. 45-11912 is a ground water right that was decreed by this Court on May 12, 2005, at a quantity of .71 cfs for the irrigation of 45 acres within a place of use of 277 acres.

Under the Place of Use heading, a comment states that water right no. 45-11912, when combined with water right no. 45-7331, "is limited to the irrigation of a combined total of 2777 acres in a single irrigation season." Emphasis added.

Water right no. 45-7331 is also a ground water right that was decreed by this Court on May 13, 2005, at a quantity of 4.70 cfs for the irrigation of 235 acres within a place of use of 277 acres. The comment below the Place of Use heading limits the place

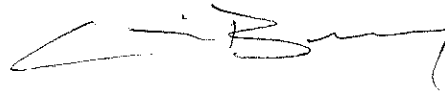
¹ The change of ownership was filed by Susan and William Millenkamp, 471 North 300 West, Jerome, Idaho 83338. The current owners, Carol and Don McFarland, have reportedly changed their address to P.O. Box 5178, Twin Falls, Idaho 83303.

of use for water right nos. 45-7331 and 45-11912 "to the irrigation of a combined total of 277 acres in a single irrigation season." Emphasis added.

Therefore, the comment following the Place of Use heading for water right no. 45-11912 should read: "Use of the rights listed below is limited to the irrigation of a combined total of 277 acres in a single irrigation season. Combined right nos. 45-7331 and 45-11912. This right is limited to the irrigation of 42 acres within the place of use described above in a single irrigation season." Emphasis added.

If you have any further questions regarding the typographical error on water right no. 45-11912, please do not hesitate to contact the Department.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Chris M. Bromley", with a stylized, flowing script.

Chris M. Bromley

cc: Carol and Don McFarland
Marshall J. McFarland
Susan and William Millenkamp
Don Shaff, Adjudication Bureau Chief
Jeff Peppersack, Water Rights Permit Section Manager