



State of Idaho

DEPARTMENT OF WATER RESOURCES

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JAMES E. RISCH
Governor

December 11, 2006

KARL J. DREHER
Director

LEON AND ILA ZIEGLER
HC 62 BOX 2140
MAY ID 83253

Re: Snake River Basin Adjudication (SRBA)
Revised Preliminary Recommendations - #73-12002 and 73-12004

Dear Mr. and Mrs. Ziegler:

You'll see by the enclosures I have revised the recommendation for 73-12004.

The dilemma for the recommendations is Dan Taggart, who held the prior water License reflected in your claim 73-12004, was also a party to a prior lawsuit over water rights and was found to have only the quantity of water shown in your claim 73-12002. The binding effect of the prior decree negated the full effect of the License. To address the dilemma the recommendation for a second water right advances the priority date to the day after the prior decree.

I trust after deliberating a while you will find this solution satisfactory. If you don't follow my rationale, give me a call.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:state
Enclosures:

Revised Preliminary Recommendations #73-12002 and 73-12004