



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

February 7, 2007

Hon. John Melanson
Diana Delaney, Clerk of the Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: 21-7327, 21-11273, 21-11274 and 21-12975

Dear Judge Melanson and Diana:

Pursuant to the recent discovery of clerical errors following the uncontested hearing for recommendations in Basin 21 for the water rights listed above, attached hereto are copies of the revised recommendations showing the proposed corrections.

I am also sending copies of this correspondence to the claimants so that they are aware of this clerical oversight and the proposed corrections.

If you should have any questions, please feel free to contact me at 287-4814.

Very Truly Yours,

Becky J. Harvey
Becky J. Harvey
Paralegal

Enclosures

/bh

cc: Pinehaven Planning Board
State of Idaho – Dept of Parks & Recreation
Rose & Henry Kopfinger

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

RIGHT NUMBER: 21-7327

NAME AND ADDRESS: PINEHAVEN PLANNING BOARD
3494 E PINEHAVEN DR
ISLAND PARK ID 83429

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
6.00 AFY

~~Use of this right with Right No. 21-07285 is limited to a total combined diversion rate of 308 cfs.~~

Use of this right with Right No. 21-07285 is limited to a total combined diversion rate of 0.08 cfs.

PRIORITY DATE: 06/16/1983

POINT OF
DIVERSION:

T11N R42E S12 NWSW Lot 6 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.050 CFS
6.00 AFY

Domestic use is for 10 homes.

PLACE OF USE: DOMESTIC in FREMONT County

T11N R42E S11

NESE

T11N R42E S12

NWSW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

RIGHT NUMBER: 21-11273

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: MIDDLE THURMON CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 10.000 CFS

PRIORITY DATE: 06/01/1893

POINT OF
DIVERSION:

T12N R42E S15 NWSE Within FREMONT County
T12N R42E S22 NENE Injection Within FREMONT County
T12N R42E S22 NENE Rediversion Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	10.000 CFS

PLACE OF USE:

IRRIGATION in FREMONT County

T12N R42E S22	SENE	10.10	T12N R42E S22	NESE	10.00
T12N R42E S23	SWNW	1.30	T12N R42E S23	NESW	16.30
T12N R42E S23	NWSW	31.20	T12N R42E S23	SWSW	0.90
T12N R42E S23	SESW	27.80	T12N R42E S23	NESE	40.10
T12N R42E S23	NWSE	18.90	T12N R42E S23	NWSE	38.00
T12N R42E S23	SESE	40.20	T12N R42E S24	SWNW	9.50
T12N R42E S24 Lot 4	SENE	8.10	T12N R42E S24 Lot 4	NESW	38.50
T12N R42E S24 Lot 4	NWSW	40.30	T12N R42E S24 Lot 9	SWSW	39.80
T12N R42E S24 Lot 10	SESW	20.70	T12N R42E S24 Lot 10	NWSE	6.40
T12N R42E S25 Lot 10	NWNW	5.90	T12N R42E S26 Lot 1	NENE	35.80
T12N R42E S26	NWNE	40.00	T12N R42E S26	SWNE	39.60
T12N R42E S26 Lot 2	SENE	13.20	T12N R42E S26	NENW	23.20
T12N R42E S26	NWNW	1.80	T12N R42E S26	SENE	16.30
T12N R42E S26 Lot 5	NESW	2.10	T12N R42E S26 Lot 4	NWSE	2.50

578.5 ACRES TOTAL

Right Nos. 21-11273 and 21-11274 are limited to the irrigation of a combined total of 578.5 acres in a single irrigation season.

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right was renumbered from former right 01-84.

ALSO KNOWN AS HOME PLACE

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

RIGHT NUMBER: 21-11274

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: MIDDLE THURMON CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 10.000 CFS

PRIORITY DATE: 06/01/1893

POINT OF
DIVERSION:

T12N R42E S15 NWSE Within FREMONT County
T12N R42E S22 NENE Injection Within FREMONT County
T12N R42E S22 NENE Rediversion Within FREMONT County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	05/01 10/31	10.000 CFS
PLACE OF USE:	<u>IRRIGATION in FREMONT County</u>		
	T12N R42E S22 SENE 10.10	T12N R42E S22 NESE	10.00
	T12N R42E S23 SWNW 1.30	T12N R42E S23 NESW	16.30
	T12N R42E S23 NWSW 31.20	T12N R42E S23 SWSW	0.90
	T12N R42E S23 SESW 27.80	T12N R42E S23 NESE	40.10
	T12N R42E S23 NWSE 18.90	T12N R42E S23 NWSE	38.00
	T12N R42E S23 SESE 40.20	T12N R42E S24 SWNW	9.50
	T12N R42E S24 Lot 4 SENW 8.10	T12N R42E S24 Lot 4 NESW	38.50
	T12N R42E S24 Lot 4 NWSW 40.30	T12N R42E S24 Lot 9 SWSW	39.80
	T12N R42E S24 Lot 10 SESW 20.70	T12N R42E S24 Lot 10 NWSE	6.40
	T12N R42E S25 Lot 10 NWNW 5.90	T12N R42E S26 Lot 1 NENE	35.80
	T12N R42E S26 NWNE 40.00	T12N R42E S26 SWNE	39.60
	T12N R42E S26 Lot 2 SENE 13.20	T12N R42E S26 NENW	23.20
	T12N R42E S26 NWNW 1.80	T12N R42E S26 SENW	16.30
	T12N R42E S26 Lot 5 NESW 2.10	T12N R42E S26 Lot 4 NWSE	2.50

578.5 ACRES TOTAL

Right Nos. 21-11273 and 21-11274 are limited to the irrigation of a combined total of 578.5 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right was renumbered from former right 01-86

ALSO KNOWN AS HOME PLACE

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

RIGHT NUMBER: 21-12975

NAME AND ADDRESS: ROSE KOPFINGER
3010 YALE KILGORE RD
ISLAND PARK ID 83429

HENRY KOPFINGER
3010 YALE KILGORE RD
ISLAND PARK ID 83429

SOURCE: BUNKHOUSE SPRING

TRIBUTARY: SHEEP CREEK

QUANTITY: 0.050 CFS
9.30 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/04/1966

POINT OF
DIVERSION:

T14N R42E S31 SESESW Lot 5 Within FREMONT County
T14N R42E S31 SESESW Lot 5 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/01	0.050 CFS 9.30 AFY
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in FREMONT County

T13N R42E S06 Lot 5 SWNW 3.10

DOMESTIC same as IRRIGATION

3.1 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use 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. Section 42-1412(6), Idaho Code.

~~The remainder of this right was forfeited for non-use from 1983 to 1988.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The remainder of this right for irrigation purposes was forfeited for non-use from 1983 to 1988.

This right is a split from former right 21-2141 .

STOCKWATER, 8 CATTLE, 2 HORSES