



DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 JUN 13 PM 12 46

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

June 12, 2007

Cathy Leth
Robert Leth
939 Hwy 93 S.
Salmon, ID 83467

RE: Notice of Completed Administrative Proceeding in Subcase 74-15781

Dear Mr. and Mrs Leth:

I recently received a telephone call from SRBA court staff regarding the Notice of Completed Administrative Proceeding (NCAP) filed on June 7, 2007, for water rights 74-328D, 74-15781, 74-15782, 74-15783, 74-15784, 74-15785 and 74-15786. The court informed me they discovered a possible discrepancy in the recommendation of right 74-15781. Although you should have received a copy of the NCAP from the Idaho Department of Water Resources (IDWR), another copy is enclosed for your convenience.

The amount listed under the quantity element for your water right shows 0.222 cfs while the quantity amount shown under the purpose and period of use shows 0.022 cfs for irrigation. The quantity element should read 0.022 cfs, matching the amount shown in the purpose and period of use area. The 0.022 amount correctly fits into the splitting of the parent water right, 74-328D, into the various parts held by the new owners.

A new recommendation print out of your water right with the typo corrected is also enclosed. The court has been told the correct quantity amount is 0.022 cfs, and they have corrected their copy of the NCAP accordingly. The recommendations of the other rights shown in the NCAP appear to be accurate. Please replace the recommendation page for your water right in the NCAP with this corrected version.

Please don't hesitate to call me at 208-287-4816 should you have any questions. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script, reading "Vicki Kelly", is written over a horizontal line.

Vicki Kelly,
Paralegal

Enc.

cc: Clerk of the District Court w/o NCAP

Eric and Kris Rineer w/o NCAP
Larry and Karla Thompson w/o NCAP
Paul and Lori Fisher w/o NCAP
Ilene J. Arrington w/o NCAP
Clive Strong – OAG w/o NCAP
US Dept. of Justice w/o NCAP

06/11/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW
DISTRICT COURT - SRBA
WINFALLS CO., IDAHO
FILED

RIGHT NUMBER: 74-15781

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NAME AND ADDRESS: CATHY LETH
939 HWY 93 S
SALMON ID 83467

ROBERT LETH
939 HWY 93 S
SALMON ID 83467

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.022 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/09/1875

POINT OF
DIVERSION: T21N R22E S24 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.022 CFS
STOCKWATER	01/01 12/31	0.010 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S23 NWNE 3.00

STOCKWATER same as IRRIGATION

3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-15775 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property is also known as Lot 2, Three Mile Estate Subdivision.

This right is a split from former right 74-328D.