



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

August 16, 2007

Diana Delaney, Deputy Clerk
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 25-7100 (*Panorama Hills Water Co.*)

Dear Diana:

It has been brought to the attention of IDWR that there appears to be a discrepancy between the Amended Director's Report filed with the SRBA Court and that which is posted on the SRBA's website.

I am attaching a copy of the *Notice of Completed Administrative Proceeding* ("NCAP") filed on October 3, 2005. I am also attaching a print out of the Amended Director's Report from the SRBA website. In comparing the documents, you will note that:

1. In the purpose and period of use element, the remark stating that "Domestic use is for 137 homes including up to ½ acre of lawn &/or garden irrigation per subdivision lot upon which a home has been constructed" is missing from the Director's Report posted on the SRBA website.
2. In the other provisions necessary for definition or administration of the water right, the general condition stating that "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." is not contained in the Amended Director's Report posted on the SRBA website.
3. The place of use description under domestic shows T03N R39E S23 NWSE on the SRBA website. This description should actually be T03N R39E S32 NWSE, as provided in the Amended Director's Report, which was provided with the NCAP.

I am providing a copy of this correspondence to the claimant and to Kent Foster, who brought the discrepancy to IDWR's attention.

If you should have any questions or comments, please don't hesitate to contact me at 287-4921.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Shaff', with a stylized flourish at the end.

Donald V. Shaff
Adjudication Bureau Chief

Enclosures

cc: Kent Foster
Panorama Hills Water Co.

SRBA

DIRECTORS REPORT 25-07100

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IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 25-07100

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* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
* IT WAS 1ST FILED. *
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Name and Address: PANORAMA HILLS WATER CO
ATTN: BRADY BELLISTON
1009 WEST 500 SOUTH
WEST BOUNTIFUL, UT 84087

Source: GROUND WATER

Quantity: 2.97 CFS
633.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

Priority Date: 12-16-1977

Diversion Point: T03N R39E S31 NWSWNE Within Bonneville County
S32 SWSWNW

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	0401 TO 10-31	2.34 CFS
			469.00 AFY
	Domestic	0401 TO 12-31	1.87 CFS
			164.00 AFY

Place of Use:	Irrigation	Within Bonneville County	
	T03N R39E S29	NWSW 40	SWSW 39
	S32	NWNW 34	SWNW 4.2
	117.2 Acres Total		

Domestic	Within Bonneville County	
T03N R39E S23	NWSE	
S31	SWNE	SENE
S32	SWNE	SENE
	NWNW	SWNW

SENW
NWSWNESW
NESE

PLACE OF USE IS LOCATED WITHIN LOTS 1-16, BLK. 1; LOTS 1-10, 12-19 BLK. 2; LOTS 1-7, BLK. 3; LOTS 15-20, BLK. 4; LOTS 1-5, 9, BLK. 5; LOTS 1-4, 11-12, BLK. 6; PANORAMA HILLS ALPHA AREA; LOTS 1-3, 5-19, BLK. 7; LOTS 1-3, 15-16; BLK. 8; LOT 1, BLK. 9; LOTS 1-8, 10-13, BLK. 10; LOTS 1-7, BLK. 11; LOTS 5-8, 12-13; BLK. 12; LOTS 6-9, BLK. 13; PANORAMA HILLS BETA AREA; LOTS 14-15, BLK. 12; LOT 13, BLK. 13; LOT 7, BLK. 14; FIRST AMENDED PANORAMA HILLS BETA II AREA; LOTS 1-5, BLK. 1; LOTS 1-12, BLK. 2; LOTS 2-3, 6-7, BLK. 3; ALTURA VERDE.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim- License

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IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-7100

NAME AND ADDRESS:

PANORAMA HILLS WATER CO
ATTN: BRADY BELLISTON
1009 WEST 500 SOUTH
WEST BOUNTIFUL UT 84087

SOURCE:

Source:

GROUND WATER

Tributary:

1431-SRBA
Bonneville District
County of Bonneville - State of Idaho

By _____
Clerk
Deputy Clerk

QUANTITY:

2.970 CFS

4.310 CFS

633.000 AFY

0.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE:

12/16/1977

~~THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.~~

POINT OF DIVERSION:

~~T03N R39E S31 SWNE
Within BONNEVILLE County~~

T03N R39E S31 NWSWNE
Within BONNEVILLE County

T03N R39E S32 SWSNW
Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

2.340 CFS 469.00 AFY

04/01 11/01

DOMESTIC

01/01 12/31

1.870 CFS 164.00 AFY

~~1.970 CFS~~

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

Domestic use is for 137 homes including up to 1/2 acre of lawn &/or garden irrigation per subdivision lot upon which a home has been constructed.

PLACE OF USE:

IRRIGATION within BONNEVILLE County

T03N R39E S29 NWSW 40.0

T03N R39E S29 SWSW 39.0

~~T03N R39E S29 SWSW 39.2~~

T03N R39E S32 NWNW 34.0

~~T03N R39E S32 NWNW 33.6~~

T03N R39E S32 SWNW 4.2

DOMESTIC

within BONNEVILLE County

T03N R39E S31 SWNE

T03N R39E S31 SENE

T03N R39E S32 SWNE

T03N R39E S32 SENE

T03N R39E S32 NWNW

T03N R39E S32 SWNW

T03N R39E S32 SENW

T03N R39E S32 NESW

T03N R39E S32 NWSW

T03N R39E S32 NESE

T03N R39E S32 NWSE

117.2 ACRES TOTAL

117 ACRES TOTAL

Place of use is located within Lots 1-16, Blk. 1; Lots 1-10, 12-19 Blk. 2; Lots 1-7, Blk. 3; Lots 15-20, Blk. 4; Lots 1-5, 9, Blk. 5; Lots 1-4, 11-12, Blk. 6; Panorama Hills Alpha Area; Lots 1-3, 5-19, Blk. 7; Lots 1-3, 15-16; Blk. 8; Lot 1, Blk. 9; Lots 1-8, 10-13, Blk. 10; Lots 1-7, Blk. 11; Lots 5-8, 12-13; Blk. 12; Lots 6-9, Blk. 13; Panorama Hills Beta Area; Lots 14-15, Blk. 12; Lot 13, Blk. 13; Lot 7, Blk. 14; First Amended Panorama Hills Beta II Area; Lots 1-5, Blk. 1; Lots 1-12, Blk. 2; Lots 2-3, 6-7, Blk. 3; Altura Verde.

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

BASIS OF CLAIM - Permit

CERTIFICATE OF MAILING

I certify that on September 30, 2005, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Panorama Hills Water Co
PO BOX 252
Iona, ID 83427

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

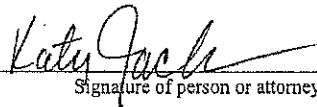
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form