



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 10, 2008

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 02-7354 (Laureano)

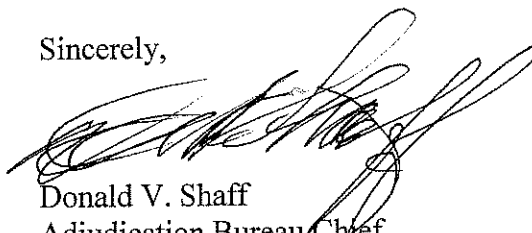
Dear Judge Melanson:

The Director's Report for Basin 02 was filed with the SRBA Court on December 29, 2006. Since that filing, IDWR has discovered a clerical error in the recommendation for this water right. Specifically, the quantity element of the water right was reported incorrectly. IDWR recommended the quantity at .09 cfs in one part of the water right description and then 1.12 cfs at another part of the water right description. The license for this water right was issued with a quantity of .09 cfs. The Department also mistakenly left off the volume, which was also on the license. Attached hereto is a copy of a revised recommendation showing the proposed corrections in underline/strikeout format. I am also enclosing a copy of the license for this water right illustrating the proper quantity description.

I am also sending them a copy of this correspondence to the claimant so that she is aware of this issue.

If you should have any questions, please feel free to contact me at 287-4921.

Sincerely,



Donald V. Shaff
Adjudication Bureau Chief

Enclosures

cc: Alison Laureano

01/04/2008

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

RIGHT NUMBER: 2-7354

NAME AND ADDRESS: ALISON LAUREANO
75 W 5TH AVE #326
SAN MATEO CA 99402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.090 CFS
18.00 AFY

Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.

PRIORITY DATE: 06/30/1981

POINT OF
DIVERSION:

T03N R05W S3 SWSW Lot 8 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	~~1.12~~ 0.090 CFS <u>18.00 AFY</u>

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T03N R05W S03 Lot 8 SWSW 4.00

4 ACRES TOTAL

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

Use of this right is combined with water from Gem Irrigation District.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 02-07354

Priority: June 30, 1981

Maximum Diversion Rate: 0.09 CFS
Maximum Diversion Volume: 18.0 AF

This is to certify, that ALFONSO SALUTREGUI
LINDA SALUTREGUI

PO BOX 811
HOMEDALE ID 83628

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 30, 1981; and
has submitted Proof of Beneficial Use on June 5, 1984. An examination indicates
that the works have a diversion capacity of .090 cfs of water from:

SNAKE RIVER tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8(SESW), Sec. 3, Township 03N, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	05W	3	Lot 8(SWSW) 1	Lot 8(SESW) 3		4

Total number of acres irrigated: 4

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

RECORDED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 02-07354

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of January, 1993.

Acting for R. Keith Higginson, Director

RECEIVED

JAN 21 1993