

Ted Booth

From: Shurte, Jan [Jan.Shurte@idwr.idaho.gov]
Sent: Monday, January 14, 2008 1:04 PM
To: Bryce Farris; Ted Booth
Subject: Drainage District No. 4 - 63-31935 & 63-31936
Attachments: 63-31936.RTF

Hello,

Attached is another attempt at getting this situation resolved. The first amended recommendation I sent to Bryce changed the language on the remark, "The source of the right is wastewater...." by adding in the portion concerning the limit of 2,181.38 acres within the digital boundaries of the delivery organizations mentioned in the recommendation – Thurman Mill Canal, Ridenbaugh Canal (aka Nampa Meridian Irrig. Dist.) and the Warm Springs Canal. I also deleted the remark stating "The water delivered within the boundary of Drainage District No. 4 is limited to the irrigation of 2181.38 acres as it was now redundant due to the remark above.

The digital boundary language was deleted as Drainage District No. 4 itself does not have a digital boundary. In fact, the digital boundary for this right is a combination of the above delivery organization's digital boundaries which is the reason why the remark concerning the place of use as being within these boundaries was also added under the Place of Use element.

I sent Bryce a copy of this amended recommendation on 12/10/2007 and his one request is that I add a remark adding the water right numbers being diverted from the point of diversion for the Ridenbaugh Canal (Nampa Meridian ID) just as had been done for Thurman Mill and Warm Springs Canals. This remark has been added on the attached amended recommendation for 63-31936. I have left 63-31935 alone as it is the one for the Junction Drain and it has been my understanding that this one is fine as is.

Please let me know if these changes are accurate and cover all that we have discussed. Thank you for your patience with these changes.

Jan

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 - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R02E, S5, NESE: 63-135, 63-176, 63-192, 63-193, 63-210, 63-211, 63-216C, 63-221, 63-250, 63-19425, 63-30125, 63-30129, 63-30130, 63-30131.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T03N, R03E, S29, NWSW: 63-198AJ, 63-199B, 63-200B, 63-2392B, 63-2968 AND 63-30181.

WATER IS DELIVERED THROUGH THE RIDENBAUGH CANAL, THE THURMAN MILL CANAL AND THE WARM SPRINGS CANAL

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE AS T04N, R01E, S22, SENW: 63-192, 63-216C, 63-19425.