



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 31, 2008

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

Re: Clerical Error in Partial Decree No. 74-457 (Eagle Valley Ranch)

Dear Diana:

It recently came to the Department's attention through communication with Rob Harris on behalf of his client, Eagle Valley Ranch, LLC, that partial decree no. 74-457 contains a clerical error in its combined use language.

Water right nos. 74-185, 74-186, and 74-457 have been partially decreed to Eagle Valley Ranch, LLC, and contain a combined use limitation based on the three water rights. For water right nos. 74-185 and 74-186, the combined use language is correct and references proper water right numbers. The combined use language for 74-457 reads as follows:

Use of this right with right nos. 74-185 and **74-486** is limited to the irrigation of a combined total of 185.7 acres in a single irrigation season. Use of this right with right no. 74-185 is limited to the irrigation of a combined total of 153.7 acres in a single irrigation season. Use of this right with right no. **74-186** is limited to the irrigation of a combined total of 58.0 acres in a single irrigation season.

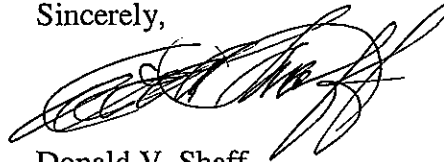
Bold and underline added.

The correct reference in the first sentence should be to water right no. 74-186. Water right 74-486 was neither claimed nor recommended by the Department in the SRBA. It seems likely that the reference to water right no. 74-486 was clerical in nature since each of the combined use paragraphs, other than the first sentence in water right no. 74-457, reference water right no. 74-186.

For the Court's convenience, please find attached a corrected recommendation for water right no. 74-457, which properly references water right no. 74-186 in the first sentence of the combined use paragraph.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', with a large, stylized flourish extending from the end of the signature.

Donald V. Shaff

Attachment

cc: Robert L. Harris, Esq.

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

RIGHT NUMBER: 74-457

NAME AND ADDRESS: EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON ID 83467

SOURCE: BOHANNON CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.540 CFS

PRIORITY DATE: 06/01/1967

POINT OF
DIVERSION: T21N R23E S28 SENESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.540 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R23E S28	NESW	5.00	T21N R23E S28	SESW	15.00
T21N R23E S28	SWSE	7.00			

27 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 74-185 AND 74-186 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 185.7 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 74-185 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 153.7 ACRES IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 74-186 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 58.0 ACRES IN A SINGLE IRRIGATION SEASON.

This right authorizes the irrigation of 26.7 total acres.

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