



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.
Director

June 17, 2008

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

RE: Subcase No. 22-13746 (B & B Farms)

Dear Judge Melanson:

The recommendation for this water right was contained within the Director's Report for Late and Miscellaneous Claims filed with the SRBA Court on March 21, 2008. Since that filing, IDWR has discovered a clerical error in the recommendation for this water right. Specifically, the quantity description contained an error in the total combined diversion rate. Attached hereto is a copy of a revised recommendation showing the proposed correction.

I am also sending them a copy of this correspondence to the claimant's attorney of record so that he 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

Enclosure

cc: Scott Campbell

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

RIGHT NUMBER: 22-13746

NAME AND ADDRESS: B & B FARMS
C/O BYRON JENSEN
5975 W 3800 S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.170 CFS
140.00 AFY

Right Nos. 22-13797 22-7088 and 22-13746 are limited to a total combined diversion rate of 0.64 cfs.

PRIORITY DATE: 01/25/1965

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T06N R40E S32 SENWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.170 CFS 140.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S32 SWSE 40.00
40 ACRES TOTAL

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

This right is based upon an enlargement of Right No.22-7088 pursuant to Section 42-1426, Idaho Code.

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

This right is for an enlargement of 40 acres within the place of use described for this right.