



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 16, 2008

JOSEPH M DE FREITAS
ROBIN R DE FREITAS
3050 FRUITVALE GLENDALE RD
FRUITVALE ID 83612

RE: Place of use changes for SRBA claim 67-79L

Dear Mike and Robin:

Thank you for your phone call yesterday, Mike. You requested additional information to that included in my letter of October 7. The proposed place of use (POU) has an area of 3.1 acres and, if recommended, would have a flow rate of 0.04 cfs. All other elements of the recommendation would remain the same as in the original Director's Report. I have included an example of what the new recommendation would look like.

In my last letter, I included four maps, two with the proposed POU and two without. I know you were concerned with the total acreage recommended. If you would like to suggest an alternative POU, please draw it on these maps and send them to me at this address by October 31, 2008. I will take that into consideration as we move forward.

Having all return correspondence by October 31 will allow me to assess any changes you wish to make in time for our next Status Conference with the SRBA Court on December 2, 2008. If you have questions, please feel free to call me at (208) 287-4907.

Sincerely,

Monica

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Cc: Nancy Hawkins

10/16/2008

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

PROPOSED SF5 RECOMMENDATION FOR CLAIMANT REVIEW

RIGHT NUMBER: 67-79L

NAME AND ADDRESS: JOSEPH M DE FREITAS
3050 FRUITVALE GLENDALE RD
FRUITVALE ID 83612

ROBIN R DE FREITAS
3050 FRUITVALE GLENDALE RD
FRUITVALE ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

This right shall provide no more than 0.0125 cfs per acre in accordance with the Muir v. Allison decree.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 06/01/1890

POINT OF
DIVERSION:

T17N R01W S1 NWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.04 CFS
<u>PLACE OF USE: IRRIGATION in ADAMS County</u>		
T17N R01W S02	NESW 0.50	T17N R01W S02
T17N R01W S02	SWSE 0.60	SESW 2.00

3.1 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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.