



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 26, 2009

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

RE: 61-2076

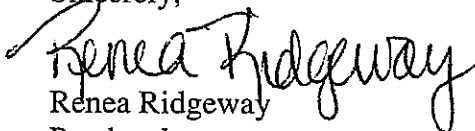
Dear Judge Melanson:

During initial hearings for Basin 2, it was discovered that an overlapping right, subcase number 61-2076, has a clerical error. The partial decree for subcase number 61-2076 was issued on August 18, 2005. Please find attached a copy of the revised recommendations showing the necessary corrections.

I am also sending copies of this correspondence to the claimants so that they are aware of this clerical oversight and the proposed corrections.

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

Sincerely,


Renea Ridgeway
Paralegal

Enclosures

cc: David Barber
Ron Howerton

02/26/2009

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

RIGHT NUMBER: 61-2076

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: LITTLE CANYON CREEK
SNAKE RIVER
TRIBUTARY: SNAKE RIVER
TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.300 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 2-222, 2-2444,
2-7050, & 61-2076.

PRIORITY DATE: 08/16/1944

POINT OF DIVERSION:

T05S R09E S35 SWNE Lot 6 Injection Within ELMORE County

T05S R10E S32 NWNWNW Within ELMORE County

T06S R10E S6 NENENW Lot 4 Rediversion Within ELMORE County

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING
WATER DIVERTED UNDER THIS RIGHT INTO SNAKE RIVER AT THE POINT OF
INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM
SNAKE RIVER AT THE POINT OF REDIVERSION DESCRIBED ABOVE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.300 CFS

PLACE OF USE: IRRIGATION in ELMORE County

T05S R10E S31	NESW	9.00	T05S R10E S31 Lot 5 NWSW	7.00
T05S R10E S31 Lot 4 SWSW		7.00	T05S R10E S31 Lot 3 SESW	25.00
T05S R10E S31 Lot 2 SWSE		5.00	~~T06S R10E S06 Lot 4 SWSE~~	~~4.00~~
<u>T05S R10E S06 Lot 4 NENW</u>		<u>2.00</u>	<u>T06S R10E S06 Lot 4 NWNW</u>	<u>2.00</u>
57 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF
THIS RIGHT AT THE ORIGINAL POINT OF DIVERSION IN T05S, R10E, S32,
NWNWNW.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
REDIVERSION DESCRIBED ABOVE: 2-222, 2-2444, 2-7050, & 61-2076.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.