



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 13, 2009

Special Master Terrence Dolan
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: SRBA Subcase Nos. 35-7210 & 35-7369 (Allen Farms)

Dear Special Master Dolan:

As indicated by the letters of October 21, 2008 and January 29, 2009 from Randall Budge that Judge Melanson forwarded to you, there were errors in the *Order on Amended Partial Decrees* issued on September 22, 2008. Accordingly, I am attaching Amended Director's Reports to correct the errors.

If you have any questions or comments, please do not hesitate to contact me at 287-4811.

Sincerely,

A handwritten signature in black ink, appearing to read "G. L. Baxter", is written over the typed name.

Garrick L. Baxter
Deputy Attorney General, IDWR

cc: Randy Budge
Ernie Carlsen

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

RIGHT NUMBER: 35-7210

NAME AND ADDRESS: ALLEN FARMS
2799 VOLLMER LP
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.400 CFS
1,120.00 AFY

PRIORITY DATE: 02/14/1972

POINT OF
DIVERSION:

T07S R30E S29 SWSNW Within POWER County
T07S R30E S29 SWNESW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	6.400 CFS 1,120.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION in POWER County

T07S R30E S29	NENW	39.00	T07S R30E S29	NWNW	39.00
T07S R30E S29	SWNW	40.00	T07S R30E S29	SENW	40.00
T07S R30E S29	NESW	40.00	T07S R30E S29	NWSW	40.00
T07S R30E S29	SWSW	39.00	T07S R30E S29	SESW	40.00
T07S R30E S29	NESE	10.00	T07S R30E S29	NWSE	23.00
T07S R30E S32	NENW	20.00	T07S R30E S32	NWNW	20.00

390 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-07369 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 390 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - License

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

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

RIGHT NO. 35-07369 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE.

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

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

RIGHT NUMBER: 35-7369

NAME AND ADDRESS: ALLEN FARMS
2799 VOLLMER LP
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
245.00 AFY

PRIORITY DATE: 01/15/1974

POINT OF
DIVERSION:

T07S R30E S29 SWSNW Within POWER County
T07S R30E S29 SWNESW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.400 CFS 245.00 AFY

PLACE OF USE: IRRIGATION in POWER County

T07S R30E S29	NENW	39.00	T07S R30E S29	NWNW	39.00
T07S R30E S29	SWNW	40.00	T07S R30E S29	SENW	40.00
T07S R30E S29	NESW	40.00	T07S R30E S29	NWSW	40.00
T07S R30E S29	SWSW	39.00	T07S R30E S29	SESW	40.00
T07S R30E S29	NESE	10.00	T07S R30E S29	NWSE	23.00
T07S R30E S32	NENW	20.00	T07S R30E S32	NWNW	20.00

390 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 35-07210 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 390 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - License

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

RIGHT NO. 35-07210 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

Right includes accomplished change in point of diversion pursuant to Section

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

42-1425, Idaho Code.