



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

August 28, 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 No. 35-2389 (Alberton)

Dear Special Master Dolan:

Pursuant to your *Order Setting Deadline to File 706 Report and Draft Amended Partial Decree* issued on June 26, 2009, I am enclosing an Amended Director's Report reflecting how this water right would be described by the Department if the partial decree is set aside.

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. Baxter", written over the printed name.

Garrick L. Baxter
Deputy Attorney General, IDWR

Enclosure

cc: Robert Harris
David Stanish
Randall Budge
Jerry Rigby
Travis Thompson

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-2389

NAME AND ADDRESS: KORTNY L ALBERTSON
579 N 2850 E
ROBERTS ID 83444

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.440 CFS
1,432.00 AFY

PRIORITY DATE: 12/02/1954

POINT OF
DIVERSION:

T05N R36E S33 NESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

4.440 CFS
1,432.00 AFY

PLACE OF USE: IRRIGATION in JEFFERSON County

T05N R36E S33	NWNE	2.90	T05N R36E S33	SWNE	39.00
T05N R36E S33	NENW	3.00	T05N R36E S33	NWNW	3.10
T05N R36E S33	SWNW	40.00	T05N R36E S33	SENW	40.00
T05N R36E S33	NESW	40.00	T05N R36E S33	NWSW	40.00
T05N R36E S33	SWSW	37.00	T05N R36E S33	SESW	37.00
T05N R36E S33	NWSE	39.00	T05N R36E S33	SWSE	37.00

358 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 - License

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