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AUG 17 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 16 2011
By _____ Clerk Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER SETTING STATUS
	)	CONFERENCE REGARDING
Case No. 39576	)	CORRECTION TO POINT OF
	)	DIVERSION
_____	)	SUBCASE NOS.: Exhibit 1

The Idaho Department of Water Resources alerted the SRBA Court regarding clerical errors contained in the *Director's Reports* and subsequent *Master's Reports* and *Partial Decrees* for 12 subcases in Basin 27. For all subcases, errors occurred in the description of the point of diversion ("POD") for each right. IDWR explained that the physical location of the POD has not changed, but the *Director's Report* descriptions name the wrong quarter-quarter and do not identify the correct lot number. The U.S. Bureau of Land Management has confirmed the legal description errors.

IDWR proposed to remedy the clerical error by substituting the correct legal description in place of the incorrect legal description. IDWR provided the court with the proposed changes, and the proposed changes are attached to this *Order*.

A hearing on the proposed correction shall be held on August 31, 2011. All parties to these subcases shall carefully review the proposed changes and shall state on the record whether they agree with the changes. If the parties agree with the proposed changes, the court shall proceed with a *Special Master's Report and Recommendation* recommending these subcases consistent with the attached proposed changes.

Please be advised that Special Master Brigitte Bilyeu has set the following date in the above subcases:

August 31, 2011

2:30 p.m.

Status Conference

Location: Snake River Basin Adjudication
253 3rd Ave. North
Twin Falls, Idaho 83301

ATTENDANCE IS MANDATORY. FAILURE TO ATTEND MAY RESULT IN THESE WATER RIGHTS BEING RECOMMENDED CONSISTENT WITH THE ATTACHED PROPOSED ELEMENTS.

Parties may participate by telephone for the Status Conference by dialing 1-215-466-0193 and when prompted enter participant code 926509#. Any questions regarding telephone participation, please contact the Clerk's office at (208) 736-3011.

Dated: August 16, 2011.

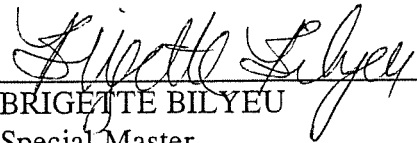

BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

EXHIBIT 1

Subcase Nos:

27-00004F
27-00016A
27-00025A
27-00037A
27-00037C
27-00037F
27-00037H
27-00037L
27-00037M
27-00037N
27-12151
27-12152

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE REGARDING CORRECTION TO POINT OF DIVERSION was mailed on August 16, 2011, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT, ID 83221
Phone: 208-785-0792

LARRY GRIMMETT
224 S 550 W
BLACKFOOT, ID 83221
Phone: 208-785-7730

DEBRA STAUB
252 S 625 W
BLACKFOOT, ID 83221

LORENZO RODRIGUEZ
260 S 625 W
BLACKFOOT, ID 83221

DONALD ANDERSON
LORETTE ANDERSON
264 S 625 W
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Phone: 208-785-7181

STANLEY M HILL
522 W RIVERTON RD
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SUSAN CRONQUIST
526 W RIVERTON RD
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ANNETTE F HAMILTON
WESLEY R HAMILTON
626 W 225 S
BLACKFOOT, ID 83221
Phone: 208-785-0646

BRETT MC DANIEL
631 W 225 S
BLACKFOOT, ID 83221
Phone: 208-785-7837

DALLEN WORTHINGTON
685 WEST 300 SOUTH
BLACKFOOT, ID 83221
Phone: 208-785-1984

DOROTHY H YANCEY
MERLIN YANCEY
707 W 300 S
BLACKFOOT, ID 83221
Phone: 208-785-0908

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

RIGHT NUMBER: 27-4F

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

Use of these rights listed below is limited to a total combined diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F, 27-16A, 27-37C.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

~~T03S R35E S8 SWSE Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R35E S07 Lot 6 SWSW	5.90	T03S R35E S07 Lot 7 SESW	8.90
T03S R35E S07 Lot 20 SESW	0.30	T03S R35E S07 Lot 8 SWSE	1.20
T03S R35E S07 Lot 21 SWSE	2.60		

18.9 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 18.9 acres in a single irrigation season. Combined Right Nos.: 27-4F, 27-16A, and 27-37C.

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

Water is delivered through Central Ditch.

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

Amended Director's Report

Right No. 27-4F

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

RIGHT NUMBER: 27-16A

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.440 CFS

Use of this right with rights listed below is limited to a total combined diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F, 27-16A, 27-37C

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

PRIORITY DATE: 07/01/1873

POINT OF DIVERSION:

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

~~T03S R35E S8 SENE Within BINGHAM County~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.440 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R35E S07 Lot 6 SWSW	5.90	T03S R35E S07 Lot 7 SESW	8.90
T03S R35E S07 Lot 20 SESW	0.30	T03S R35E S07 Lot 8 SWSE	1.20
T03S R35E S07 Lot 21 SWSE	2.60		

18.9 ACRES TOTAL

Use of this right with the rights listed below is limited to the irrigation of a combined total of 18.9 acres in a single irrigation season. Combined Right Nos.: 27-4F, 27-16A, 27-37C.

This right is limited to the irrigation of 14.4 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.

Use of water under this water right will be regulated by the watermaster of State Water District No. 27.

Amended Director's Report

Right No. 27-16A

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is former right no. 27-16D.

Water is delivered through Central Ditch.

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

Amended Director's Report

Right No. 27-16A

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

RIGHT NUMBER: 27-25A

NAME AND ADDRESS: LARRY GRIMMETT
224 S 550 W
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.179 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

~~T03S R35E S8 SWSENE Lot 8 Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.179 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R35E S18 SENW 9.30

9.3 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

Water is delivered through the Central Ditch.

Amended Director's Report

Right No. 27-25A

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

RIGHT NUMBER: 27-37A

NAME AND ADDRESS: BRETT MC DANIEL
631 W 225 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.760 CFS

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION:

~~T03S R35E S8 EWSENE Lot 8 Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.760 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S13 Lot 2 SWNE 37.00 T03S R34E S13 Lot 3 SENW 13.00

T03S R34E S13 Lot 3 NESW 17.00

67 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

WATER IS DELIVERED THROUGH CENTRAL DITCH.

Updated Recommendation

Right No. 27-37A

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

RIGHT NUMBER: 27-37C

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.970 CFS

Use of the rights listed below is limited to a total combined diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F, 27-16A, 27-37C.

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION:

~~T03S R35E S8 SWSE Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.970 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R35E S07 Lot 6 SWSW	5.90	T03S R35E S07 Lot 7 SESW	8.90
T03S R35E S07 Lot 20 SESW	0.30	T03S R35E S07 Lot 8 SWSE	1.20
T03S R35E S07 Lot 21 SWSE	2.60		

18.9 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 18.9 acres in a single irrigation season. Combined Right Nos.: 27-4F, 27-16A, 27-37C.

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
Water is delivered through Central Ditch.

Amended Director's Report

Right No. 27-37C

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

RIGHT NUMBER: 27-37F
NAME AND ADDRESS: STANLEY M HILL
522 W RIVERTON RD
BLACKFOOT ID 83221

SUSAN CRONQUIST
526 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 03/20/1886
POINT OF DIVERSION:

~~T03S R35E S8 SWSENE Lot 8 Within BINGHAM County~~
T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R35E S07 Lot 9 NESE	19.00	T03S R35E S07 Lot 9 NWSE	4.50
T03S R35E S07 Lot 17 NWSE	2.80	T03S R35E S07 Lot 8 SWSE	8.30
T03S R35E S07 Lot 21 SWSE	1.20	T03S R35E S07 SESE	10.00

45.8 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
WATER IS DELIVERED THROUGH CENTRAL DITCH.
This right is a split from former right 27-37C.

Updated Recommendation

Right No. 27-37F

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

RIGHT NUMBER: 27-37H

NAME AND ADDRESS: DALLEN WORTHINGTON
685 WEST 300 SOUTH
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION:

~~T03S R35E S8 SESENE Lot 8 Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.040 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S24 NWNW 2.00

2 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

WATER IS DELIVERED THROUGH CENTRAL DITCH.

Updated Recommendation

Right No. 27-37H

RIGHT NUMBER: 27-37L

NAME AND ADDRESS: LORETTE ANDERSON
264 S 625 W
BLACKFOOT ID 83221

DONALD ANDERSON
264 S 625 W
BLACKFOOT ID 83221

TRIBUTARY: SNAKE RIVER

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.

POINT OF DIVERSION:

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

QUANTITY

1.080 CFS

T03S R34E S13 NWSE 33.00

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.

Right No. 27-37L

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

RIGHT NUMBER: 27-37M
NAME AND ADDRESS: WESLEY R HAMILTON
626 W 225 S
BLACKFOOT ID 83221
ANNETTE F HAMILTON
626 W 225 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 1.300 CFS

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: 03/20/1886

POINT OF DIVERSION:

~~T03G R35E S8 SENE Lot 8 Within BINGHAM County~~
T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.300 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S12 Lot 5 SESE	7.00	T03S R34E S13 Lot 1 NENE	39.00
T03S R34E S13 Lot 1 NWNE	16.00		

62 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 62 acres in a single irrigation season. Combined Right Nos.: 27-37M, 27-10539, and 27-2129B

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
WATER IS DELIVERED THROUGH CENTRAL DITCH.

Updated Recommendation

Right No. 27-37M

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

RIGHT NUMBER: 27-37N
NAME AND ADDRESS: MERLIN YANCEY
707 W 300 S
BLACKFOOT ID 83221
DOROTHY H YANCEY
707 W 300 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 03/20/1886
POINT OF DIVERSION:

T03S R35E S8 SWNE Lot 24 Within BINGHAM County
~~T03S R35E S8 NWSENE Lot 8 Within BINGHAM County~~
T03S R35E S18 NWSWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S23	NENE	35.00	T03S R34E S23	SENE	18.00
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53 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

BLACKFOOT IRRIGATION WATER IS ALSO USED AND POU WATER IS
CONVEYED THROUGH CENTRAL DITCH AND RIVERTON DITCH.

Updated Recommendation

Right No. 27-37N

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

RIGHT NUMBER: 27-12151

NAME AND ADDRESS: DEBRA STAUB
252 S 625 W
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

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: 03/20/1886

POINT OF DIVERSION:

~~T03S R35E S8 SWENE Lot 7 Within BINGHAM County~~

T03S R35E S8 SWNE Lot 24 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.040 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R34E S13 NWSE 1.10

1.1 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

WATER IS DELIVERED THROUGH CENTRAL DITCH.

This right is a split from former right 27-37E.

Updated Recommendation

Right No. 27-12151

Right No. 27-12152