

RECEIVED
OCT 17 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 14 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	)	Water Right Nos.: 03-07027
	)	
Case No. 39576	)	NOTICE OF COURT'S INTENT TO
	)	ISSUE PARTIAL DECREE
	)	CONSISTENT WITH CORRECTED
	)	DIRECTOR'S REPORT, AND NOTICE
	)	OF HEARING THEREON
_____	)	

On August 15, 2006, the Director of the Idaho Department of Water Resources ("Department") issued a *Director's Report* containing a recommendation for the above-captioned water right claim. No objections were filed to the Director's recommendation. However, on October 6, 2011, the Clerk of the Court received correspondence from the Department notifying the Court of an error in the recommendation with respect to the quantity element. Specifically, the correspondence asserts that the following remark should have been added to the quantity element, but was erroneously omitted from the recommendation: "The quantity of water under this right shall not exceed 13,000 gallons per day." A copy of the correspondence is attached hereto as Exhibit A. Along with the correspondence the Department submitted a *Corrected Director's Report for 03-7027*, correcting the above-mentioned error. A copy of the *Corrected Director's Report for 03-7027* is attached hereto as Exhibit B. Therefore, it is the intent of the Court to issue a *Partial Decree* for the above-captioned water right claim in accordance with the *Corrected Director's Report for 03-7027*.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **January 17, 2012, at 1:30 p.m.** at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing by the claimant is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation

will be available by calling 1-215-446-0193 and when prompted entering code 406128 followed by the # sign.

Dated: October 14, 2011

A handwritten signature in black ink, appearing to read 'Eric J. Wildman', written over a horizontal line.

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

Diana Delaney

From: Diana Delaney
Sent: Thursday, October 06, 2011 1:45 PM
To: 'Fritschle, Carter'
Subject: RE: Basin 03

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 06 2011

By _____
decreed and be done with them! Clerk
Deputy Clerk

Yes please. That would be great then we can issue a notice of intent for partial

From: Fritschle, Carter [mailto:Carter.Fritschle@idwr.idaho.gov]
Sent: Thursday, October 06, 2011 12:01 PM
To: Diana Delaney
Cc: Bromley, Chris; Ridgeway, Renea
Subject: RE: Basin 03

Diana,

It looks like 3-2051 should have the condition that limits the stockwater use to 13,000 gpd, but the diversion volume takes care of the historical beneficial use.

3-7027 was originally an irrigation right, but in order to save \$26.00, they filed the claim for domestic use. Again, the daily use should be limited to 13,000 gallons, but the diversion volume is the determination of historical beneficial use.

Would you like me to send you "corrected" Director's Reports with the appropriate conditions?

Carter

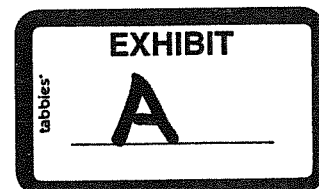
From: Diana Delaney [mailto:ddelaney@idcourts.net]
Sent: Thursday, October 06, 2011 10:50 AM
To: Bromley, Chris; Ridgeway, Renea; Fritschle, Carter
Subject: Basin 03

There are 2 uncontested partials hanging out there for Basin 03:

03-2051 and 03-7027 – Both of these are uncontested rights, but I have a note on them that they may/may not need a de minimis cap remark? Can you check them out and let me know as soon as possible.

Then we truly will be DONE with Basin 03!!

Diana Delaney
SRBA



10/06/2011

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

CLERK OF DISTRICT COURT - 3RD JUDICIAL DISTRICT
Fifth Judicial District
County of Twin Falls - State of Idaho

GCT 0 6 2011

By _____ Clerk
Deputy Clerk

RIGHT NUMBER: 3-7027

NAME AND ADDRESS: DELENA FAY SIEGEL
PO BOX 3730
PORTERVILLE CA 93258

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.060 CFS
4.50 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/04/1980

POINT OF
DIVERSION:

T11N R06W S32 NENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	03/15 11/15	0.060 CFS 4.50 AFY

The domestic use of water under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early use and a priority date earlier than the date a partial decree is entered for this right.

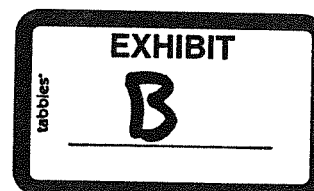
PLACE OF USE: DOMESTIC in WASHINGTON County

T11N R06W S32 Lot 1 NENE

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



CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE COURT'S INTENT TO ISSUE PARTIAL DECREE CONSISTENT WITH CORRECTED DIRECTOR'S REPORT AND NOTICE OF HEARING was mailed on October 14, 2011, with sufficient first-class postage to the following:

DELENA FAY SIEGEL
PO BOX 3730
PORTERVILLE, CA 93258
Phone: 208-455-9602

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" and last name "Murphy" clearly distinguishable.