



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

October 26, 2011

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707
VIA FACIMILE 208-736-2121

RE: Partial Decree for water right 37-7175

Dear Special Master Bilyeu:

Attached is an Amended Partial Decree for water right 37-7175. As you recall, a review of appurtenant water rights conducted by the new owner of the unsurveyed property revealed an error in the partial decree of the right. A Motion to Set Aside and Amend Partial Decree was filed, and the motion was heard on October 5, 2011. The Court granted the motion under I.R.C.P. 60(a), and directed the department to provide an updated recommendation correcting the point of diversion error.

The attached amendment not only corrects that error, but also reflects the updated ownership of the right. The department had previously processed a Notice of Change in Water Right Ownership, which was received on July 18, 2011, after the partial decree of the right was issued. Being as right 37-7175 had already been partially decreed, the department would not have filed a Notice of Completed Administrative Proceeding updating the Court's records.

The department, with the approval of the new owner, requests the Court also update the ownership of the right as reflected in the Amended Partial Decree. Should you require further assistance in this matter, please don't hesitate to call me at 208-287-4816.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Kelly".

Vicki Kelly - Paralegal

Enc.

cc: James Speck

10/20/2011

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

RIGHT NUMBER: 37-7175

NAME AND ADDRESS: LIESKOVAN FAMILY TRUST JOHN BEEHLER
651 W LEMON AVE TARA BEEHLER
ARCADIA CA 91007 HC 64 BOX 8004
KETCHUM, ID 83340

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.060 CFS
3.60 AFY

PRIORITY DATE: 11/21/1972

POINT OF
DIVERSION: T05N R17E S15 ~~SENE~~ SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY
IRRIGATION	04/01 11/01	0.020 CFS 3.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T05N R17E S15 SWNE 0.50 T05N R17E S15 SENE 0.50

DOMESTIC in BLAINE County

T05N R17E S15 SWNE

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 - License