

09/19/2001

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

RIGHT NUMBER: 43-10616

NAME AND ADDRESS: TERRY L DUTTON
HC 61 BOX 1185
MALTA ID 83342

LINDA K DUTTON
HC 61 BOX 1185
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1985

POINT OF
DIVERSION:

T13S R26E S1 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.040 CFS

PLACE OF USE: DOMESTIC Within CASSIA County

T13S R26E S01 SWNE

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP000120020140A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 26, 2001

RE: Water Rights in Reporting Area 7, Basin 43
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in Basin 43 for the Raft River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have 120 days in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in American Falls, Burley, and Malad City, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

NOTICE OF FILING OF DIRECTOR'S REPORT FOR IDWR REPORTING AREA 7, BASIN 43 FOR IRRIGATION AND OTHER WATER RIGHTS

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the Director's Report for irrigation and other water rights in IDWR Reporting Area 7, Basin 43. A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA court as to how each of your claimed water rights should be decreed in the SRBA.

This Director's Report includes claims for irrigation and other uses, including some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 43 was sent to the SRBA court and individual water users on March 2, 1998. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the 1998 report, it is reported in this Director's Report.

Included with this Notice is the Director's recommendation for your water rights claimed in the SRBA not previously recommended in the small domestic and stockwater report. IDWR is providing individual reports like this one to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed on the third and fourth pages of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed numerically by water right number.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights recommended to be disallowed are listed numerically by

water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims under federal law that have also been claimed under a state law basis. These are called "dual based" claims. The Director does not investigate the federal portion of these claims and makes no recommendation whether they should be granted or not.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

What if a water right is not in this report? What if a water right claim is filed late? How do I get notice of IDWR's recommendation for a late claim?

A water right for Basin 43 may not be included in this Director's Report if it was not filed in time for IDWR to investigate and report. These water rights will be reported at a later time in IDWR's *Director's Report for Late Claims*. This report may include recommendations for Basin 43 as well as other basins. This report is issued once per year, usually in February. It is the responsibility of all parties to check with the SRBA court or IDWR to see when this report is filed. It is also the responsibility of all parties to check this report carefully for water rights that they want to object to. No special notice will be sent to you.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your **objection** must be received by the SRBA Court on or before **February 8, 2002**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Your **response** must be received by the SRBA Court on or before **April 12, 2002**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. The SRBA Court will hear the uncontested recommendations on **June 18, 2002**, at 1:30 P.M. at the **SRBA Courthouse**. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR Southern Region office in Twin Falls. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources
Attn: Greg Taylor
1118 F. Street
Lewiston, ID 83501
(208) 743-0301

Cassia County Courthouse
1459 Overland Ave.
Burley, Idaho 83318

Power County Courthouse
543 Bannock St.
American Falls, Idaho 83211

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

Idaho Department of Water Resources
Eastern Region
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Idaho Department of Water Resources
15 W. Center Street
Soda Springs, ID 83276
(208) 547-3993

Oneida County Courthouse
10 Court St.
Malad, Idaho 83252

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 43.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated in a box such as this:

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*                                     *
*                                     *
*****
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IDWR does not investigate or make recommendations regarding federal law based claims.

BASIN 43 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 43.

1. The following water rights from the following sources of water in Basin 43 shall be administered separately from all other water rights in Basin 43 in accordance with the prior appropriation doctrine as established by Idaho law:

See Attachment A

2. The following water rights from the following sources of water in Basin 43 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law:

Water Right No.

Source

None

None

3. Except as otherwise specified above, all other water rights within Basin 43 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

Attachment A

Graham Creek and Tributaries

43-10

Grape Creek and Tributaries

43-402	43-403A	43-404	43-405	43-406
43-407	43-2215	43-2247	43-13026	

Stines Creek and Tributaries

43-11	43-12	43-14	43-10013	43-13024
43-13025	43-13106	43-13107		

Almo Creek and Tributaries (except Stines Creek, Grape Creek and Graham Creek)

43-375	43-376	43-379	43-380A	43-380B
43-381	43-382	43-383	43-384	43-385
43-386	43-419	43-2148	43-2186	43-2232A
43-2594	43-10356	43-10545	43-10797	43-10823
43-11198	43-11207	43-11208	43-11227	43-13106
43-13107				

Clear Creek and Tributaries

43-37	43-43	43-45	43-84	43-85
43-116	43-117	43-118	43-119	43-206
43-286A	43-286B	43-286D	43-286E	43-314
43-347	43-415B	43-10116	43-10813	43-10814
43-10824	43-11201	43-13119	43-13120	

Cassia Creek and Tributaries

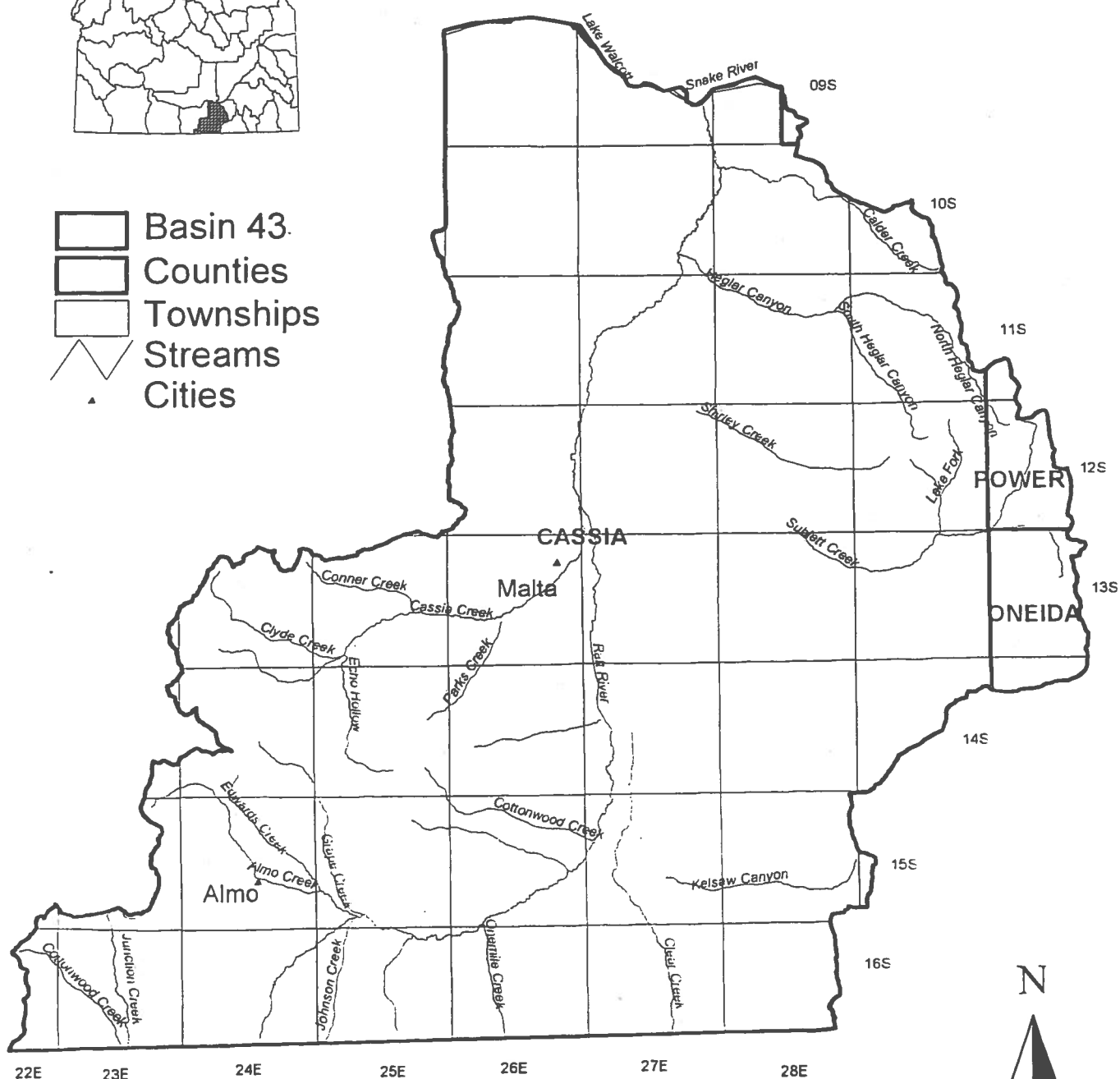
43-31	43-51	43-52	43-53	43-62
43-63	43-64	43-65	43-66	43-67
43-68	43-70A	43-70B	43-71A	43-71B
43-72	43-73A	43-73B	43-74A	43-74B
43-80	43-86	43-87	43-88	43-91
43-92	43-93	43-94	43-95	43-96B

43-99C	43-100C	43-101C	43-102C	43-103B
	43-104B	43-105	43-106	43-107
43-113	43-114	43-115	43-124	43-125
43-135	43-136	43-139	43-140	43-144A
43-144B	43-145	43-146A	43-146B	43-147A
43-147B	43-149	43-150	43-151A	43-151B
43-152	43-153A	43-153B	43-154	43-155
43-156	43-158	43-159	43-160	43-186
43-187	43-190	43-193	43-194	43-195
43-205	43-208	43-209	43-213	43-214
43-217	43-218	43-219	43-220	43-221
43-228	43-230	43-231	43-232A	43-233
43-236	43-238	43-239A	43-239B	43-240A
43-240B	43-242	43-243	43-244A	43-244B
43-245A	43-245B	43-246	43-247	43-248
43-249	43-250	43-251A	43-263	43-264
43-266	43-267	43-268	43-269	43-271
43-272	43-273	43-274	43-275	43-276
43-277	43-283	43-284	43-285	43-288
43-289	43-290	43-291	43-292	43-293A
43-294	43-295	43-296A	43-296B	43-297A
43-297B	43-298B	43-299B	43-300	43-301
43-302	43-319	43-320	43-321	43-323A
43-323B	43-323C	43-328	43-329	43-330
43-331	43-332	43-333	43-334	43-335
43-338	43-339	43-340	43-341	43-342
43-344	43-345	43-346	43-353	43-361
43-361A	43-366	43-369A	43-370	43-408
43-411	43-412	43-413	43-441	43-473B
43-476	43-2002	43-2060	43-2271	43-4082
43-4115	43-4191	43-4232	43-4240	43-7139
43-10259	43-10261	43-10268	43-10277	43-10279
43-10547	43-10564	43-10591	43-10592	43-10618
43-10631	43-10793	43-10815	43-10816	43-10817
43-10818	43-11135	43-11136	43-11137	43-11138
43-11142	43-11202	43-11221	43-11223	43-11234
43-11239	43-11240	43-11263	43-11275	43-11276
43-11277	43-11278	43-11279	43-11280	43-11281
43-11282	43-11293	43-11298	43-12913	43-12948
43-12949	43-12951	43-12968	43-12969	43-12970
43-12971	43-12972	43-12973	43-12992	43-12994
43-13031	43-13032	43-13127		

Basin 43



-  Basin 43.
-  Counties
-  Townships
-  Streams
-  Cities



**NOTICE OF FILING
FEDERAL RESERVED RIGHTS CLAIMS
IN BASIN 43**

INTRODUCTION

The United States of America (USA) has filed with the Snake River Basin Adjudication (SRBA) District Court claim 43-11113 to a federal reserved right in Basin 43.

Complete copies of the claim to a federal reserved right in Basin 43 are available at the SRBA courthouse in Twin Falls and the locations listed at the end of this notice. You may review the claim to a federal reserved right at those locations. Copies of the claim can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to a federal reserved water right in Basin 43 and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your **objection** to the federal reserved water right in Basin 43 must be **received** by the SRBA Court on or before **February 8, 2002**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on the claim to a federal reserved right, you must file either an objection or a response by the dates provided in this notice. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Your **responses** must be **received** by the SRBA Court on or before **April 12, 2002**.

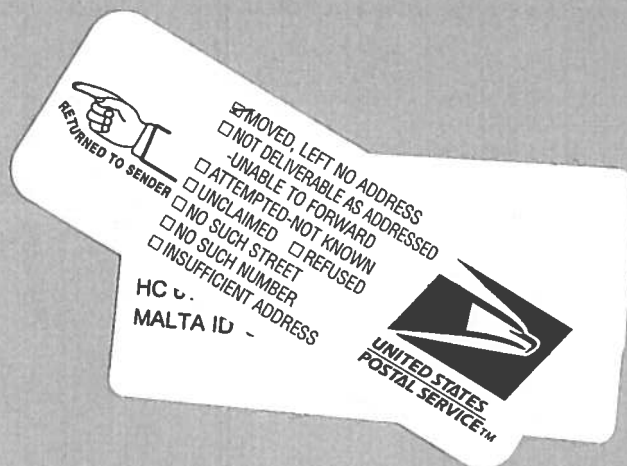
What happens if there are no objections to the federal reserved water right claim?

An evidentiary hearing on the uncontested federal reserved water right in Basin 43 will be held. Partial decrees will be issued following this hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

Additional information regarding federal reserved water right claims can be found on the SRBA Web Site at www.srba.state.id.us.



AJ5856NP

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

DATE: AUG-18-1997
PAGE: A-274

RIGHT NUMBER: 43-10616

NAME & ADDRESS: TERRY L DUTTON
LINDA K DUTTON
HC61 BOX 1185
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T13S R26E S01 NWSWNE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T13S R26E S01 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP000120020140A

Claim proofread by: KT
Date: 9-5

AJ5856NP

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

DATE: AUG-8-1997

PAGE: A-281

RIGHT NUMBER: 43-10616

NAME & ADDRESS: TERRY L DUTTON
LINDA K DUTTON
HC61 BOX 1185
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T13S R26E S01 NWSWNE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T13S R26E S01 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PROPERTY ALSO KNOWN AS LOT 14, BLOCK 2, RAFT RIVER DEV. SUBD.
PARCEL NO. RP000120020140A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 8/14/97

Data entry verified by: [Signature]

Date: 8-15-97

WATER RIGHT NUMBER - A43-10016

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD CO NUMBER -

[illegible]

*** C - CURRENT OWNER ***
DUTTON

TERRY L.

1 - HC 61, BOX 1185

2

12

CITY-MALTA

PHONE - 208-645-2285

1 - HC 61. BOX 1185

10

2

CITY-MAITAI

PHOVE - 208-645-2285

STATE- ID ZIP- 83342

STATE- ID 7TP- 63342

+ - -	PRIORITY DATE	- - +	+ - -	REGION	- - -	+ - -	STAGE	- - -	+ - -	STATUS
				17 SOUTHERN			J - BENEFICIAL USE			
		06/30/1985								

```

+ - - - - - SOURCE - - - - - +
                                + - - - - - TRIUTARY - - - - -
                                GROUNDWATER

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GROUNDWATER

[illegible]

13S 26E 1 NW SW NE (51) CASSIA

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.049

[illegible]

0.040

[illegible]

135 26E 1 SH 21

43

(31) 65554

+ - - DIVERGENCE MEANS - WELL - 100' X 6"

+ - - - - - NEW-IRRIGATION USE - 1/1 HOUSE

THE RIGHTS FOR THE SAME USE -

NO CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL

MICROFILMED

MAR 05 1973

+ - DECREE DATE - +
00/00/0000[illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

ENTERED
CHECKED

☐ Verified D[®]
☐ Topo Map/Ortho-PQ
☐ AISC Map
☐ Watermaster Records
☐ NAPP Photos
☐ Field Exam
☐ Other (See Remarks)
☐ County Records
☐ Witness Statement
☐ Project Records
☐ DWR Records

VERIFIED
OCT 17 1991

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

RIGHT NUMBER: 43-10616

NAME AND ADDRESS: TERRY L DUTTON
HC 61 BOX 1185
MALTA ID 83342

LINDA K DUTTON
HC 61 BOX 1185
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:

T13S R26E S1 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County
T13S R26E S01 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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 - Beneficial Use

PARCEL NO. RP000120020140A

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10616

TERRY L DUTTON
HC 61 BOX 1185
MALTA ID 83342
Telephone Number: (208)645-2285

LINDA K DUTTON
HC 61 BOX 1185
MALTA ID 83342
Telephone Number: (208)645-2285

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

MAY 22 2001

Department of Water Resources

ADDRESS SERVICE
REQUESTED

RECEIVED

MAY 24 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 29 2001

Department of Water Resources
Southern Region

43-10616
ARM

