



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

May 2, 2013

Diana Delaney
Case Administrator
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707
Via Facsimile: 208-736-2121

RE: Recommendation of Water Right 47-10115

Dear Diana:

Water right 47-10115 was claimed in the Snake River Basin Adjudication (SRBA) by the Blick Brothers Partnership. The right was recommended as an expansion right in the Director's Report for Irrigation and Other Uses, Reporting Area 12, IDWR Basin 47, filed with the SRBA Court on February 2, 2007. No objections were filed; however the Court notified IDWR in May of 2010 that the recommendation of the right was possibly missing subordination language. The recommendation was not moved forward in the SRBA to allow IDWR time to investigate the possible omission.

IDWR has now completed its review of the error, and submits a Corrected Director's Report (attached), which recommends right 47-10115 as an enlargement right, not an expansion right. Although remarks noted on the original claim identify the claim as "an expansion of the number of acres covered under A47-02325," IDWR believes the claim intended to describe an enlargement of the place of use, and submits this correction recommending the right pursuant to I.C. § 42-1426. IDWR notes that, as an enlargement, subordination language has been added to the recommendation. However, the correction entitles the claimant to an additional 108 acre feet for a combined annual diversion volume of 436 acre feet. The correction also allows IDWR to recommend the claimed priority date of May 1, 1975, 10 years earlier than the priority originally reported. A copy of the original claim and the original recommendation are attached for the Court's convenience.

Any questions regarding the corrections made to the recommendation should be directed to Carter Fritschle, Manager Adjudication Section, at 208-287-4917. As an enlargement, IDWR notes the right will also need to be advertised if the changes made in the Corrected Director's Report

are acceptable. Should the Court require anything further from IDWR, please let me know. I can be reached at 208-287-4816.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Kelly". The signature is fluid and cursive, with the first name "Vicki" written in a larger, more prominent script than the last name "Kelly".

Vicki Kelly,
Paralegal

Encs.

cc: Blick Brothers Partnership
Chief, Natural Resources Div.
United States Dept. of Justice
Twin Falls County Courthouse

04/25/2013

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

RIGHT NUMBER: 47-10115

NAME AND ADDRESS: BLICK BROTHERS PARTNERSHIP
PO BOX 635
CASTLEFORD ID 83321

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS

USE OF THIS RIGHT WITH RIGHT NO. 47-2325 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.62 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF ~~328~~ 436 AF.

PRIORITY DATE: ~~06/30/1985~~ 05/01/1975

This water right is subordinate to all water rights with a priority date
earlier than April 12, 1994, that are not decreed as enlargements pursuant
to Section 42-1426, Idaho Code. As between water rights decreed as
enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority
right is the superior right.

POINT OF
DIVERSION:

T10S R14E S19 SENWSW Lot 3 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T10S R14E S19 Lot 2 SWNW	34.00	T10S R14E S19 Lot 3 NWSW	33.00
T10S R14E S19 Lot 4 SWSW	35.00	T10S R14E S19	SESW 7.00

109 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 47-2325 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 109 ACRES IN A SINGLE
IRRIGATION SEASON.

~~This right is limited to the irrigation of 27 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~THE RIGHT IS AN EXPANSION OF RIGHT 47-2325 PURSUANT TO SECTION
42-1416B, IDAHO CODE.~~

This right is for an enlargement of 27 acres within the place of use
described for this right.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-10115
Date Received: 7/20/1988
Receipt No: 5001018
Received By: ADM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLICK BROTHERS, PARTNERSHIP 208-537-6787
Address: P.O. BOX 635
CASTLEFORD, ID 83321

2. Date of Priority: MAY 01, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	14E	19	SE	NW	SW	3	TWIN FALLS

5. Description of diverting works:
WELL WITH 75 H.P. TURBINE WITH 50 H.P. BOOSTER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.540		

7. Total Quantity Appropriated is:
0.540 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 81.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	14E	19	SW	NW	2	IRR	21.0
			SE	SW		IRR	6.0

Section Acres 27.0

A47-10115

Page 1

Date: 07/20/88

MICROFILMED

- MAR 12 1993

10. Place of Use: Continued

Total Acres 27.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS AN EXPANSION OF THE NUMBER OF ACRES COVERED UNDER
A47-02325.

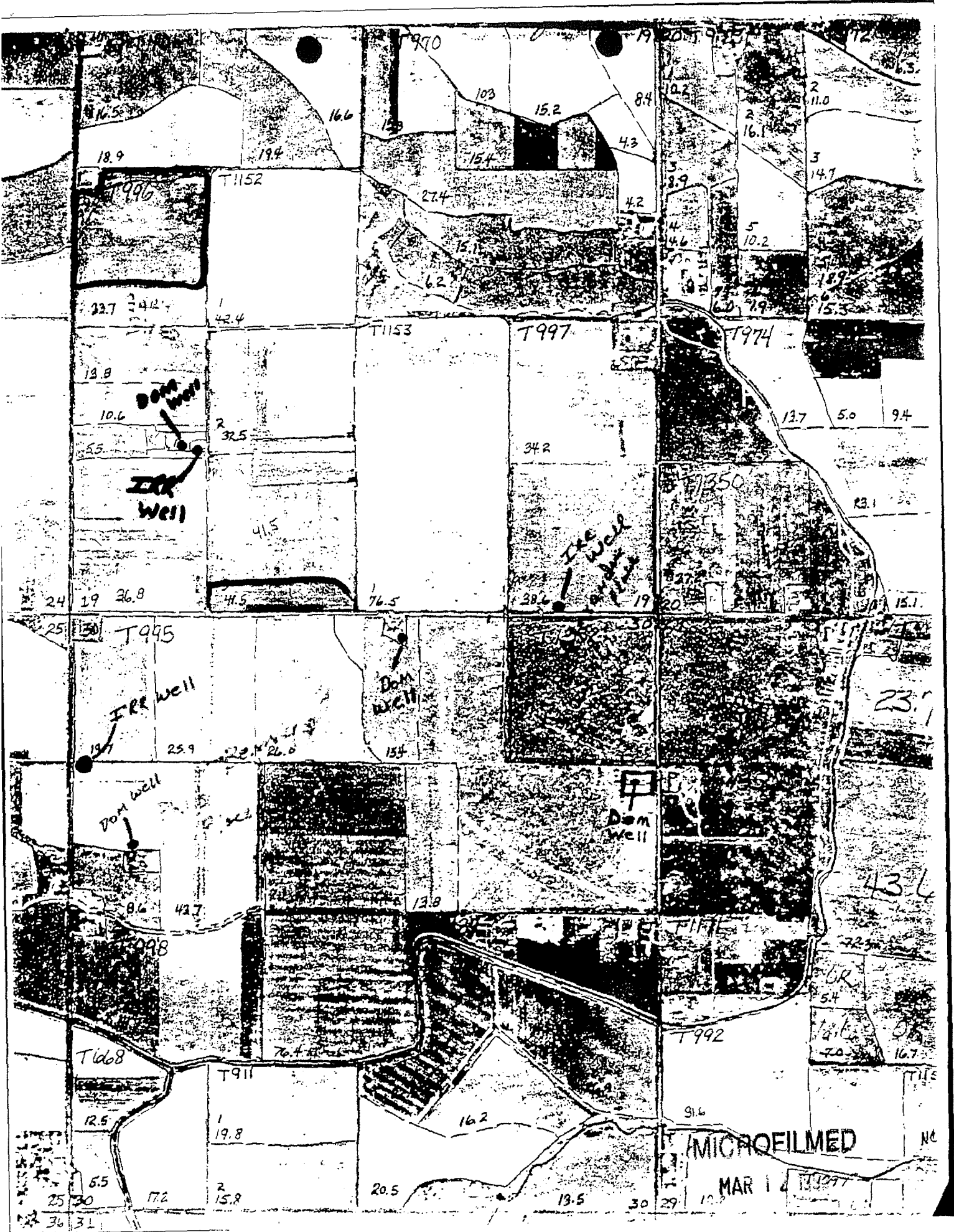
15. Basis of Claim: BENEFICIAL USE

MICROFILMED

MAR 12 1993

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MAR 12 1993



01/29/2007

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