



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER  
Governor

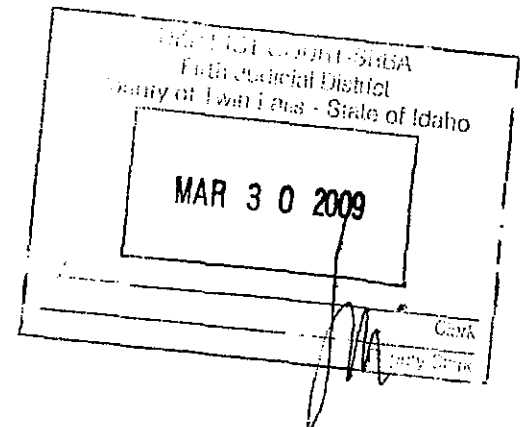
DAVID R. TUTHILL, JR.  
Director

March 26, 2009

DIANA DELANEY  
SRBA DISTRICT COURT  
PO BOX 2707  
TWIN FALLS, ID 83303-2707

Re: Snake River Basin Adjudication (SRBA)  
Partial Decree #21-7133

Dear Diana,



When we received our copy of the Partial Decree referenced above, we noticed the Period of Use had been transposed.

The Period of Use for Irrigation Storage should be 01-01 to 12-31.

The Period of Use for Irrigation From Storage should be 04-01 to 11-01.

I have enclosed our Recommendation showing the correct Periods of Use. The Court may use the Recommendation for issuing the amended partial decree for the water right.

IDWR stands ready to respond to any questions the Court may have. I extend my thanks for considering this request.

Sincerely,

Donald V. Shaff, MPA  
Adjudication Bureau Chief

DVS:ss:region

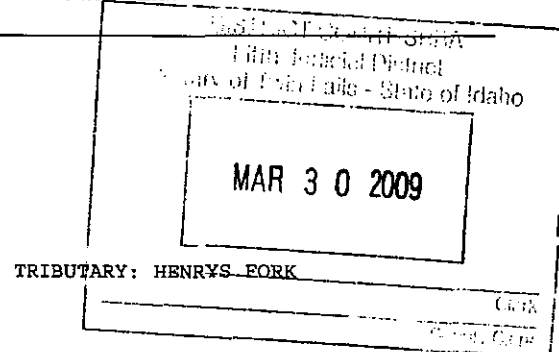
Enclosures

C: G. Baxter  
R. Ridgeway  
D. Kidman  
Frank L. Vandersloot  
R. Harris

03/26/2009

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

RIGHT NUMBER: 21-7133  
NAME AND ADDRESS: FRANK L VANDERSLOOT  
C/O MELALEUCA INC  
3910 S YELLOWSTONE HWY  
IDAHO FALLS ID 83402



SOURCE: STRONG CREEK  
QUANTITY: 20.00 AFY  
PRIORITY DATE: 07/18/1977

TRIBUTARY: HENRYS FORK

POINT OF  
DIVERSION:

T09N R43E S20 NENWNW Within FREMONT County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE          | PERIOD OF USE | QUANTITY  |
|-------------------------|---------------|-----------|
| IRRIGATION FROM STORAGE | 04/01 11/01   | 20.00 AFY |
| IRRIGATION STORAGE      | 01/01 12/31   | 20.00 AFY |

PLACE OF USE:

IRRIGATION STORAGE in FREMONT County

|               |      |               |      |
|---------------|------|---------------|------|
| T09N R43E S17 | SESW | T09N R43E S20 | NENW |
| T09N R43E S20 | NWNW |               |      |

IRRIGATION FROM STORAGE in FREMONT County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T09N R43E S17 | NENW | 21.00 | T09N R43E S17 | NWNW | 11.00 |
| T09N R43E S17 | SWNW | 29.00 | T09N R43E S17 | SESW | 26.00 |
| T09N R43E S17 | NESW | 18.00 | T09N R43E S17 | NWSW | 11.00 |
| T09N R43E S17 | SWSW | 22.00 | T09N R43E S17 | SESW | 10.00 |
| T09N R43E S18 | NENE | 30.00 | T09N R43E S18 | NWNE | 26.00 |

204 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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.