



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

October 26, 2007

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 75-10415 (Jakich)

Dear Judge Melanson:

The Director's Report for Basin 75 was filed with the SRBA Court on January 11, 2007. Since that filing, the Idaho Department of Water Resources ("IDWR") has discovered clerical errors in the recommendation for this water right. The recommendation for water right 75-10415 listed 1.2 cfs as the diversion rate for irrigation and .02 cfs as the diversion rate for stockwater. However, the recommendation then set the combined diversion rate to be 0.600 cfs. This combined diversion rate is in error. The proper combined diversion quantity for this right is 1.20 cfs. The combined diversion quantity for this water right was properly claimed at a rate of 1.20 cfs, as illustrated in the attached Notice of Claim to a Water Right. IDWR also erred in reporting the season of use for the irrigation portion of this right. The Department reported this as 4/01 to 11/1. The proper season of use for this water right is 4/01 to 10/31. Finally, although the basis of this right was claimed and reported as beneficial use, this water right is actually a decreed right. It is a combination of two old decreed water rights, 75-33 and 75-44. I have also attached hereto a copy of a revised recommendation in underline/strikeout format to illustrate the clerical errors contained within the original Director's Report.

I am also sending a copy of this correspondence to the claimants so that they are aware of this issue.

If you should have any questions, please feel free to contact me at 287-4811.

Sincerely,

Garriek L. Baxter
Deputy Attorney General, IDWR

Enclosures

cc: Leonard & A. Yvonne Jakich
Michael Holliday

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