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Important Information About Your Water Right

July 10, 2002

William J McKnight
Delone McKnight
PO Box 93
Mackay, ID 83251

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Department of Water Resources

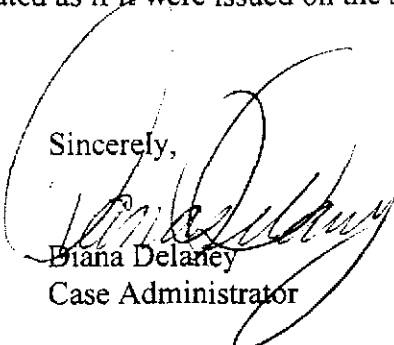
Dear Water Right Claimant(s):

Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 34-2281B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on March 30, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

2007 JUL 10 PM 1:29
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

	)	Water Right 34-2281B
In Re SRBA	)	
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on March 30, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-15 to 10-15

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated July 10, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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Department of Water Resources
Adjudication Bureau

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

) ORDER OF PARTIAL DECREE
)
)

Case No. 39576
_____)

) For Water Rights 34-02281A and 34-02281B
)

On December 29, 1997, an *Amended Director's Report* was filed for water right 34-02281 recommending that it be split and decreed as water rights 34-02281A and 34-02281B.

Therefore, IT IS ORDERED that water rights 34-02281A and 34-02281B are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED March 30, 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

In Re SRBA
Case No. 39576

1998 MAR 30 PM 4: 40
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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Department of Water Resources
Adjudication Bureau

1998 MAR 30 PM 4: 40

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-02281
_____	)	

On December 29, 1997, an *Amended Director's Report* was filed for the above water right recommending that it be split and decreed as water rights 34-02281A and 34-02281B.

Therefore, IT IS ORDERED that water right 34-02281 is hereby **decreed disallowed**.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated March 30, 1998.



Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13723

WATER RIGHT NUMBER: 34-13723

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM J MC KNIGHT PO BOX 93 MACKAY, ID 83251-0093 (208)588-3177
Current Owner	DE LONE MC KNIGHT PO BOX 93 MACKAY, ID 83251 (208)588-3177

Priority Date: 06/18/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.410 CFS	71.40 AF
	<u>Total Diversion:</u>	0.410 CFS	71.40 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SE1/4	Sec. 31, Twp 07N, Rge 25E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	31																	31.0
																			31.0

Total Acres: 31

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

1. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.81 CFS. COMBINED RIGHT NOS.: 34-13717, 34-13719, 34-13721 AND 34-13723.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13723

2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 34-13719 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 108.5 AF.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10.4 ACRES WITHIN THE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-13717, 34-13719, 34-13721 AND 34-13723.
5. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 34-2281B.

Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 7/10/2002
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	108.5	

Combined Water Rights: 34-13719 , 34-13723

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.81		31

Combined Water Rights: 34-13717 , 34-13719 , 34-13721 , 34-13723

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.81		31

Combined Water Rights: 34-13717 , 34-13719 , 34-13721 , 34-13723

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.81		31

Combined Water Rights: 34-13717 , 34-13719 , 34-13721 , 34-13723