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MAY 23 2001

2001 MAY 23 PM 12:44

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

Case No. 39576

)
)
)
)

AMENDED ORDER OF PARTIAL DECREE
TO CORRECT CLERICAL ERROR; I.R.C.P.
60(a)

FOR WATER RIGHT 32-10151

On July 19, 2000, a *Standard Form 5/Amended Claim* was filed for the above water right. An *Amended Special Master's Report and Recommendation* was issued on July 27, 2000, based on the stipulated elements. Subsequently, an *Order of Partial Decree for Water Right 32-10151* was issued October 31, 2000. However, it was brought to the attention of the Court that a clerical error appeared in the *Amended Special Master's Report and Recommendation*, and ultimately on the *Partial Decree*. Specifically, lot number 4 was omitted in the place of use of T13N R33E S31 SWSW.

Therefore, pursuant to I.R.C.P. 60(a), this Court, on its own initiative, issues an *Amended Partial Decree Pursuant to I.R.C.P. 54(b)* to comport with the *Amended Standard Form 5* filed for this water right.

IT IS ORDERED that the *Partial Decree* entered on October 31, 2000, for this water right is hereby **amended** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 32-10151*.

DATED: MAY 23 2001



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

AMENDED

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-10151

2001 MAY 23 PM 12:44

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: E MARLOWE GOBLE
152 S 600 W
LOGAN, UT 84321

SOURCE: GROUNDWATER

QUANTITY: 0.50 CFS
211.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.90 CFS.
COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152

PRIORITY DATE: 06/02/1952

POINT OF DIVERSION: T13N R32E S36 NENWSE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.50 CFS 211.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T12N R32E S01 LOT 01 (NENE) 4.4	
	R33E S06 SWNE 8.4	LOT 03 (NENW) 8.0
	LOT 04 (NWNW) 19.0	LOT 05 (SWNW) 2.4
	SENE 26.0	
	T13N R32E S36 NESE 4.0	NWSE 8.1
	SWSE 1.0	SESE 11.0
	R33E S31 LOT 04 (SWSW) 3.6	
	95.9 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 205.2 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152.

THE USE OF WATER WITHIN SWNE, S06, T12N, R33E IS LIMITED TO
THE NW-1/4 NW-1/4, S-1/2 NW-1/4, AND N-1/2, SW-1/4.

THE USE OF WATER WITHIN LOT 3 (NENW), S06, T12N, R33E IS
LIMITED TO THE NW-1/4 SW-1/4, S-1/2 SW-1/4, AND SW-1/4 SE-1/4.

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. I.C. SECTION 42-1412(6).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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Department of Water Resources

2000 OCT 31 AM 11:55

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

Fort Water Right 32-10151

On July 27, 1000, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-10151 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED OCT 31 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 32-10151

200 OCT 31 AM 11:55
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: E MARLOWE GOBLE
152 S 600 W
LOGAN, UT 84321

SOURCE: GROUNDWATER

QUANTITY: 0.50 CFS
211.00 AFY

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Department of Water Resources

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COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152

PRIORITY DATE: 06/02/1952

POINT OF DIVERSION: T13N R32E S36 NENWSE Within Clark County

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	Irrigation	04-01 TO 10-31	0.50 CFS 211.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
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	SENE 26.0	
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	SWSE 1.0	SESE 11.0
	R33E S31 SWSW 3.6	
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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Department of Water Resources

2000 OCT 31 PM 02:00
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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 32-10151

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 32-10151 was mailed
on October 31, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

E MARLOWE GOBLE
Represented by:
RAY W. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/31/00

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 20 2000
Department of Water Resources

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) A 32-10151

Name of Water Right Holder(s) E Marlowe Goble

Mailing Address 152 So. 600 West Logan Utah 84321

Telephone Number (435) 787-8467

Source of Water (Groundwater/Surface) Groundwater

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 208.8 (number of acres irrigated)

Other/Remarks this right is combined with
32-02070 - 32-00053 - 32-10152

Total rate and/or volume of use .05 cfs 211.0 acre feet

Show the date water use will be or was resumed under this water right July 99

Person to contact to accompany the Department representative if a field examination is conducted:

Name STUART B. Breinholt Telephone No. 208-374-5775

Address 1390 Medicine Lodge Road Dubois Idaho 83423

The above information is my true statement of the extent to which diversion and use of the above described water right has been resumed.

Date 10/17/00 Signature Stuart B Breinholt

MICROFILMED

JAN 30 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 10 1994

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder Dr. E. Marlowe Goble
Post office address Medicine Lodge, Inc., 180 South 600 West, Logan, UT 84321
2. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____

 - b. License No. _____ issued by the Department of Water Resources.
 - c. Claim No. A32-10151 on file with the Department of Water Resources.
3. Source of water Groundwater tributary to _____
(Name of stream or source)
4. Date of priority of right June 2, 1952
5. Amount of water a. 9.64 c.f.s. and/or
b. 1205.0 acre feet/annum
6. Water is used for Irrigation from April 15 to October 15
_____ from _____ to _____
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NW 1/4 SE 1/4 of Section 36
Township 13 North, Range 32 East, B.M., in Clark County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use: See attached Exhibit A

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated 489.0

9. Give last date when water was applied to beneficial use October 1990
Length of extension of time requested 5 years, or until July 1999
(Date)

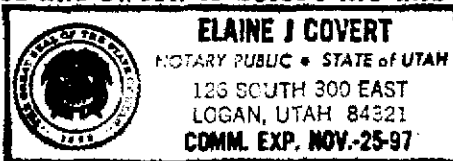
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use _____

I acquired this property in the last couple of years and have
been in the process of upgrading it which has required a
significant investment. I am now in the process of improving
the irrigation system and developing pipelines for better
utilization of the water so the use of the wells has been
delayed until that can happen and more funding is available.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Marlene Goble
(Signature of Applicant)

Subscribed and sworn to before me this 4th day of August, 19 94.



Elaine J. Covert
(Notary Public)

My commission expires _____

Residing at Logan, Utah

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Resumption of water for a beneficial use shall occur on or before July 1, 1999.

Approval of this extension does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

Witness my hand this 14th day of December, 19 95.

A. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED
JAN 30 2001

For Department Use Only

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Receipted by _____ Date 8-10-1994 Publication prepared by RB

Published in Post Register Dates 2-16 & 23-1995

Publication approved by RB Date 3-27-95 Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for // Approval // Denial by _____

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NOV 01 2000

Department of Water Resources

200 OCT 31 AM 11:55

FILED
TWIN FALLS CO., IDAHO

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

Case No. 39576

ORDER OF PARTIAL DECREE

Fort Water Right 32-10151

On July 27, 1000, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-10151 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED OCT 31 2000.



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin

RECORDED

JAN 30 2001

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)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 32-10151

OCT 31 11:55
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: E MARLOWE GOBLE
152 S 600 W
LOGAN, UT 84321

SOURCE: GROUNDWATER

QUANTITY: 0.50 CFS
211.00 AFY

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COMBINED RIGHT NOS.: 32-02070, 32-00053 AND 32-10152

PRIORITY DATE: 06/02/1952

POINT OF DIVERSION: T13N R32E S36 NENWSE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
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PLACE OF USE:	Irrigation	Within Clark County
	T12N R32E S01 LOT 01 (NENE) 4.4	
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	95.9 Acres Total	

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MICROFILMED

MAR 23 2001

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
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Department of Water Resources

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In Re SRBA)

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on October 31, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

E MARLOWE GOBLE
Represented by:
RAY W. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED

MAR 29 2001

PAGE 1
10/31/00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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MICROFILMED

JAN 30 2001

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

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(Domestic Mail Only; No Insura

Article Sent To:

Dr. E. MacLure Hoke

\$

Postage

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

MICROFILMED

Postmark
Here

9/29/80

Name (Please Print Clearly) (To be completed by mailer)
JAN 3 0 2001

Street, Apt. No., or PO Box No.

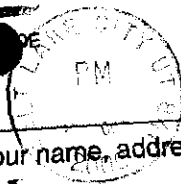
152 S 600 W

City, State, ZIP+4

Green UT 84321

7099 3220 0006 2688 4011

UNITED STATES POSTAL SERVICE

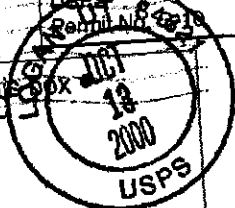


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Postage & Fees Paid

Permit No. 4210

• Print your name, address, and ZIP Code in this box

OCT 15 2000



WA

DEBORAH GIBSON
Department of Water Resources
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237

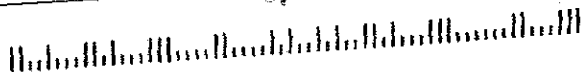
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NOV 13 2000

Department of Water Resources

MICROFILMED

JAN 30 2001



SENDER:

- Complete items 3a and/or 2 for additional services.
- Complete items 3b and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

DR E MARLOWE GORIE
152 S 600 W
LOGAN UT 84321

MICROFILMED

JAN 30 2001

A32-10151 (Resumption)

5. Received By: (Print Name)

Bradley Breinholt

6. Signature: (Addressee or Agent)

X Bradley Breinholt

4a. Article Number

70993220000626884011

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

12-13-00

8. Addressee's Address (Only if requested and fee is paid)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

NOV 13 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 2000

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DR E MARLOWE GOBLE
152 S 600 W
LOGAN UT 84321

Re: Water Right No. A32-10151

Dear Applicant:

NOTICE TO RESUME WATER USE

On December 14, 1995, the department approved your Application for Extension of Time to Avoid Forfeiture of a Water Right as submitted to the department. One condition of approval was that diversion and use of water must resume on or before December 1, 2000. Failure to resume use of the water and to notify the department of the resumed use will be cause for the water to revert back to the state and again be subject to appropriation.

Therefore, I am enclosing a form to notify the department of the resumption of use of the water right. Please complete the form and return it to my attention at the above address.

If you have questions, please feel free to contact me at (208)327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: Region

MICROFILMED

JAN 30 2001