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Important Information About Your Water Right

August 27, 2001

HERMAN HUETTIG
LENORE HUETTIG
1905 E 1300 S
HAZELTON, ID 83335

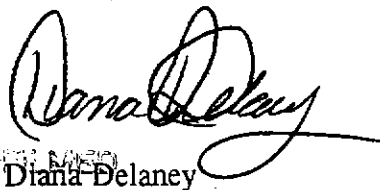
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02117. 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 December 29, 1997, 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 the 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 the same date that the *Partial Decree* was originally issued.

Sincerely,



MICROFILMED
Diana Delaney
Case Administrator
MAR 1 5 2003

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)

Water Right 36-02117

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. 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, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, 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 recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 03-15 11-15

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 at 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 any 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 August 27, 2001

Roger Burdick
ROGER BURDICK

Presiding Judge
Snake River Basin Adjudication

MICROFILMED
MAR 10 2004

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 36-02117

1997 DEC 29 PM 4: 55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: LENORE HUETTIG
HERMAN HUETTIG
1905 E 1300 S
HAZELTON ID 83335

SOURCE: GROUNDWATER

QUANTITY: 2.13 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02594 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF.

PRIORITY DATE: 04/14/1951

POINT OF DIVERSION: T10S R20E S28 SENWSW Within JEROME County
S29 NESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.13 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County
	T10S R20E S28 S29	NWSW 40 NESW 40
	160 ACRES TOTAL	NESE 40 NWSE 40

USE OF THIS RIGHT WITH RIGHT NO. 36-02594 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 160.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

MAR 10 2004

170383

FILE PROGRESS SUMMARY

APPLICANT: Quettig Myron WATER RIGHT NO. 36--2117 ETC.

[illegible]

70383

Transfer Review Sheet

Applicant Huetting, Myron A. and Ellen M. Transfer # 70383

Rights Involved with Transfer:

WR# 36-7639 36-2153B 36-2594 36-2117 36-8147 36-8289

AJ# _____

Right ID Correct? (Y) or N (Y) or N (Y) or N (Y) or N (Y) or N (Y) or N

Split? Y or (N) Y or (N) Y or (N) Y or (N) Y or (N) Y or (N)

Unchanged # _____

Changed # _____

Area of Concern: ESPA

Comment Letters:

	Date Requested	Date Received
Watermaster: District _____	_____	_____
Fish & Game _____	_____	_____
Canal Company _____	_____	_____
Stream Channel _____	_____	_____
City _____	_____	_____
DEQ _____	_____	_____
County _____	_____	_____
Department of Ag _____	_____	_____
Other _____	_____	_____

SDE:

Right Number	POD ID #	Shape Updated	POU ID #	Shape Updated
<u>36-7639</u>	<u>584637</u>	<u>✓</u>	<u>~~675899~~</u>	<u>✓</u>
	<u>584629</u>	<u>✓</u>	<u>680247</u>	<u>✓</u>
<u>36-2153B</u>	<u>584636</u>	<u>✓</u>	<u>~~675907~~</u>	<u>✓</u>
	<u>590804</u>	<u>✓</u>	<u>680244</u>	<u>✓</u>
	<u>590802</u>	<u>✓</u>	<u>~~675908~~</u>	<u>✓</u>
<u>36-2594</u>	<u>590803</u>	<u>✓</u>	<u>680246</u>	<u>✓</u>
	<u>590805</u>	<u>✓</u>	<u>~~675909~~</u>	<u>✓</u>
	<u>590806</u>	<u>✓</u>	<u>680245</u>	<u>✓</u>
	<u>590807</u>	<u>✓</u>	<u>~~675910~~</u>	<u>✓</u>
<u>36-2117</u>	<u>590808</u>	<u>✓</u>	<u>680248</u>	<u>✓</u>
	<u>590809</u>	<u>✓</u>	<u>675911</u>	<u>✓</u>
	<u>590810</u>	<u>✓</u>	<u>680248</u>	<u>✓</u>
<u>36-8147</u>	<u>590811</u>	<u>✓</u>	<u>675910</u>	<u>✓</u>
	<u>590812</u>	<u>✓</u>		
	<u>590813</u>	<u>✓</u>		
<u>36-8289</u>	<u>590814</u>	<u>✓</u>		
	<u>590815</u>	<u>✓</u>		
	<u>590816</u>	<u>✓</u>		

70383

Conditions:**GROUNDWATER:**

DRILLING PERMIT - 046
DP upgrade req'd Y N (contact GW)

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067 **R05**

~~WMD~~
≤ 0.24 cfs/5 acres - No MD **13'**
> 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD - R05
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 4/1 to 6/30 (use X61 if extended season)
STANDARD VOLUME 4 af/ac
CONSUMPTIVE USE VOLUME 3 af/ac

SUPPLEMENTAL
SUPPLEMENTAL
WITHIN ESPA

- 065-104 (where irrigation is the only use)
- 100-105 (where there are other uses besides irrigation)
- 113-114-116 (mitigation)
- 115 (meas. Device for non-irrig uses or new irrig systems)
- 131 (existing irrig systems)

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
STOCKWATER - R37 (all BLM/USFS)
MINING- 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined - multiple pds in WD
Protested - 020-X19
Water Quality - 106-R07
X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts
083 - replaces C11 (enlargement rights)

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS:

Initial Allocation Review by J. F.
SRBA Review Completed by _____
Regional Manager Review by AD

Date 5-8-03
Date _____
Date 12/9/03

Comments:

Approval Updates Completed
12-11-03

70383

Comment Report
Application ID 70383

2. jfreitag 5/6/2003

Legal Notice Remarks

Transfer is proposing to tie three wells together and create a permissible place of use of 511 acres.

Located 4 miles south of Hazelton, Idaho

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MAR 10 2003