

No Color
Documents
In File

Important Information About Your Water Right

August 27, 2001

IRIS F JANKOW
PO BOX 541
KETCHUM, ID 83340

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 36-00055Y. 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 November 24, 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,



Diana Delaney
Case Administrator

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)

Water Right 36-00055Y

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 November 24, 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: 02-15 11-30

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

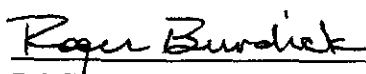
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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
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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-00055Y

1997 NOV 24 AM 9:13
DISTRICT COURT - TWIN FALLS
CLERK

NAME & ADDRESS: LOREN WETZEL
SYLVIA G WETZEL
1008 GRIDLEY DR
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

USE OF THIS RIGHT WITH RIGHT NO. 02-00219 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.03 CFS.

PRIORITY DATE: 05/01/1883

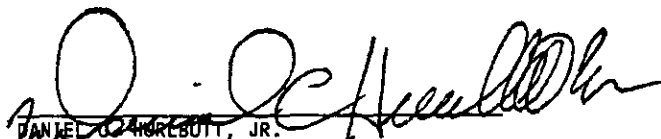
POINT OF DIVERSION: T08S R13E S01 LOT 7 (NENWSE) Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.03 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T08S R13E S01 Lot 11 (NWSE) 0.6
0.6 ACRES TOTAL

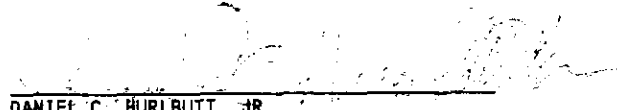
USE OF THIS RIGHT WITH RIGHT NO. 02-00219 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 0.6 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:
USE OF THIS RIGHT WITH RIGHT NO. 02-00219 IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1.8 AF.


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

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

1997 NOV 25 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): 36-00055Y

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 36-00055Y was mailed
on November 25, 1997, with sufficient first-class postage prepaid
to the following:

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

LOREN & SYLVIA WETZEL
1008 GRIDLEY DR
HAGERMAN, ID 83332
Phone: 208-837-6260

DIANA DELANEY
Chief Deputy Clerk

SEP 28 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 11, 2001

IRIS F JANKOW
1008 GRIDLEY DR
HAGERMAN ID 83332-5622

RE: Snake River Basin Adjudication (SRBA) 
Water Rights #36-55Y and 37-4332

Dear Water Right Holder:

Records Modified 10-2-01.
.js

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

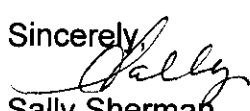
Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by October 28, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

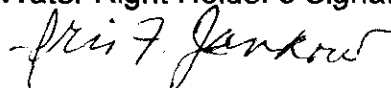

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

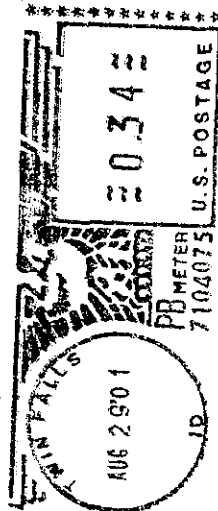
Water Right Holder's Signature



Telephone No.

208-837-9105

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



36-554
37-4332

IRIS F JANKOW
PO BOX 541
KETCHUM, ID 83340

JANKS41 833402002 1600 09 09/02/01
FORWARD TIME EXP RTN TO SEND
JANKOW, IRIS F
1000 GRIDLEY DR
HAGERMAN ID 83332-5622

RETURN TO SENDER

83303/2707

Sept. 24, 2001

Dept. of Water Resources
State of Idaho
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83706-0098

Attn: Sally Sherman
Technical Records Specialist
Adjudication Bureau

Re: Snake River Basin Adjudication ^{claim}
Water Rights #36-55Y and 37-4332 (43,01)

I have received your letter regarding the above water rights. I purchased property on the Snake River in May, 2000 and this property has the water right #36-55Y.

I applied in the mid 80's for a water right for my property in Ketchum on Wood River and that appears to be #37-4332. I have since sold that property in Feb. 2000. Upon checking with the new owner of that property they have advised me that they are not using the water right for that property and have connected to the City water system and that they will not be using the water right at all. I had not included the water right in the sale as I had not had any notification it had been approved. The water right can, therefore, be cancelled.

I do not have any decrees for this water right here in Hagerman although the water right was transferred with the property. Do I need any documents from your office showing the water right as it exists now after the adjudication?

My address is correct as you have it in your last letter to me. Thank you for your help in this matter.

new owner:
126-4830
Mr. Henry Dean
Ketchum Central Park
in 139 Bird Dr.

to 10/1/01 w/ Iris
Jankow.
Henry Dean
POB 5500
Ketchum 83340

Iris F. Jankow

Iris F. Jankow
1008 Gridley Drive
Hagerman, Idaho 83332
208-837-9105

also built Central Park
Town homes
across street

Margo Lunsford - Realtor - gave me Henry's ph. #. 10/2/01
208/725-5257 - FAX

208/725-6775 km

sent relinquishment form
10-16-01