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Important Information About Your Water Right

December 14, 2001

UNITED STATES OF AMERICA ACTING THROUGH
"USDA FARM SERVICE AGENCY
9173 W BARNES STE B"
BOISE, ID 83709-1555

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, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 34-02376. 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,



Diana Delaney
Case Administrator

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NOV 14 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 34-02376

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 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 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: 04-01 10-31

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 December 14, 2001


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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NOV 14 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 34-02376

1997 DEC 29 PM 4: 43

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: TERRY V MONSON
KAREN M MONSON
RT 1 BOX 30
DARLINGTON ID 83231

SOURCE: GROUNDWATER

QUANTITY: 2.3 CFS
402.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 34-00169C IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.78 CFS.

PRIORITY DATE: 07/20/1960

POINT OF DIVERSION: T06N R25E S12 NWNWNE Within BUTTE County

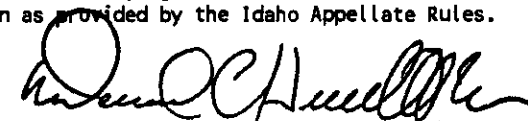
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.3 CFS 402.5 AFY

PLACE OF USE: IRRIGATION Within BUTTE County
T06N R25E S12 NWNE 40 SWNE 35 NWSE 40
115 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 34-00169C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 115 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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-02376

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DEC-18-1997

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NOV 14 2003

Receipt Details for ID E029220

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/22/2003 11:51:13 AM	9/26/2003 4:35:01 PM	EASTERN	\$75.00	Check
Payer		MC INTOSH, DAN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2687			
Card Expiration Date	Credit Card Transaction #		

Comment 34-486A, 34-889, 34-2376 — NOT PROCESSED

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	OWNERSHIP CHANGES/SECURITY INTERESTS	63140	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
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DEBBIE ALLEN . . .

PLEASE ARRANGE FOR \$25.00 REFUND FROM THIS RECEIPT TO:

DAN MC INTOSH
4100 W 4107 N
MACKAY ID 83251

WATER RIGHT 34-2376 WAS NOT PROCESSED.

THANK YOU,


KARI LYNN

10-23-03

MICRO. LMFD

NOV 14 2003



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

September 29, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAN MC INTOSH
4100 W 4107 N
MACKAY ID 83251

RE. Change in Ownership of Decreed Water Right 34-02376

Dear Mr. McIntosh::

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

X **Legal Description of Property**

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. The decreed water right covers land in **T6N, R25E, S12, NWNE, SWNE and NWSE.** The legal descriptions you furnished are for lands in **T6N, R26E, S7, SWNE and NESW.** I have enclosed a copy of the water right decree for your reference.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosure

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