



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

September 9, 2003

Diana Delaney
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707

RE: Partial Decree for water right 47-7137

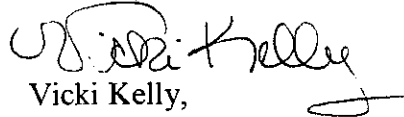
Dear Diana:

Water right 47-7137 was recommended in the Director's Report for Domestic and Stockwater, Reporting Area 12 (IDWR Basin 47) filed with the SRBA court on August 14, 1998. The recommendation was unobjected to, and on May 21, 1999, a partial decree was issued.

It was recently discovered that right 47-7137 should not have been included in the small domestic and stockwater report as it actually encompasses a use of a larger volume of water (32.4 AFY). Computer generated small stockwater restrictions were mistakenly applied to the recommendation. The right should have been held for reporting in the Director's Report for Irrigation and Other Uses tentatively set for filing in 2004. Would it be possible for the court to correct this as a clerical mistake under I.R.C.P. 60(a) so that the department could correctly include it in the upcoming report of irrigation and other uses for Basin 47?

A copy of the recommendation and partial decree of right 47-7137 are included for the court's convenience. Should you require further assistance in this matter, please don't hesitate to call me at 208-327-5458.

Sincerely,


Vicki Kelly,
Paralegal

Enc.
cc: Rick Eggleston

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 47-07137

NAME AND ADDRESS: CHARLES HOLT
RT 1
FILER, ID 83328

SOURCE: GROUNDWATER

QUANTITY: 0.20 CFS
32.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 02/14/1972

POINT OF DIVERSION: T10S R16E S07 SWNE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.20 CFS
			32.40 AFY

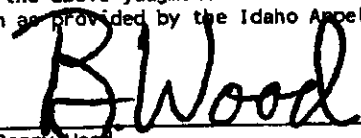
PLACE OF USE: Domestic Within Twin Falls County
T10S R16E S07 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 47-07137

NAME & ADDRESS: CHARLES HOLT
RT 1
FILER ID 83328

SOURCE: GROUNDWATER

QUANTITY: 0.2 CFS
32.4 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 02/14/1972

POINT OF DIVERSION: T10S R16E S07 SWNE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.2 CFS
			32.4 AFY

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R16E S07 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RP086410000020
28 TRAILERS & 1 HOUSE.