



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 30, 1997

RECEIVED

PHILIP E. BATT
GOVERNOR

FEB 03 1997

KARL J. DREHER
DIRECTOR

Department of Water Resources

Howard Field
Box 342
Grand View, ID 83624

RE: Modification of Partial Decree Nos. 57-04049, 57-04050 &
57-10147

Dear Mr. Field:

The purpose of this letter is to acknowledge your visit to this office on January 7, 1997, regarding modification of the above referenced partial decreed rights in the Snake River Basin Adjudication. It is my understanding that you desire to modify your partial decrees by changing the points of diversion on 57-04049 to the SWNW, Sec. 26, Twp. 5S, Rge. 3E, and on 57-04050 to the SWSE, Sec. 26, Twp. 5S, Rge. 3E. Also, to change the Range listed on 57-10147 from Rge. 4E to Rge. 3E and to recommend the disallowal of the right be removed and the right recommended with the correct range.

Modifications of the types you have proposed are required to be reviewed by the Fifth Judicial Court in Twin Falls. By copy of this letter this office is notifying the Court of your requested changes. You can anticipate that the Court will be contacting you to describe the method by which you can proceed with these requested changes. A memo and map are being sent with this letter to the Court further explaining your requested changes.

Please contact me if you have any questions concerning this letter or copy to the SRBA Court.

Sincerely,

JAN SHURTE
Adjudication Unit Supervisor
Western Regional office

cc: Clerk of the Fifth Judicial Court in Twin Falls
State Office (D. Smith)
Claim file

MEMORANDUM

January 30, 1997

TO: CLAIM FILE NOS. A57-04049, A57-04050 & A57-10147

FROM: JAN SHURTE

RE: CLERICAL ERRORS ON PARTIAL DECREES - HOWARD FIELD

Howard Field visited my office on January 7, 1997 to discuss the problems with the above Basin 57 claims and with his Snake River claims. He had visited with Norm Young previously regarding his Basin 57 claim problems.

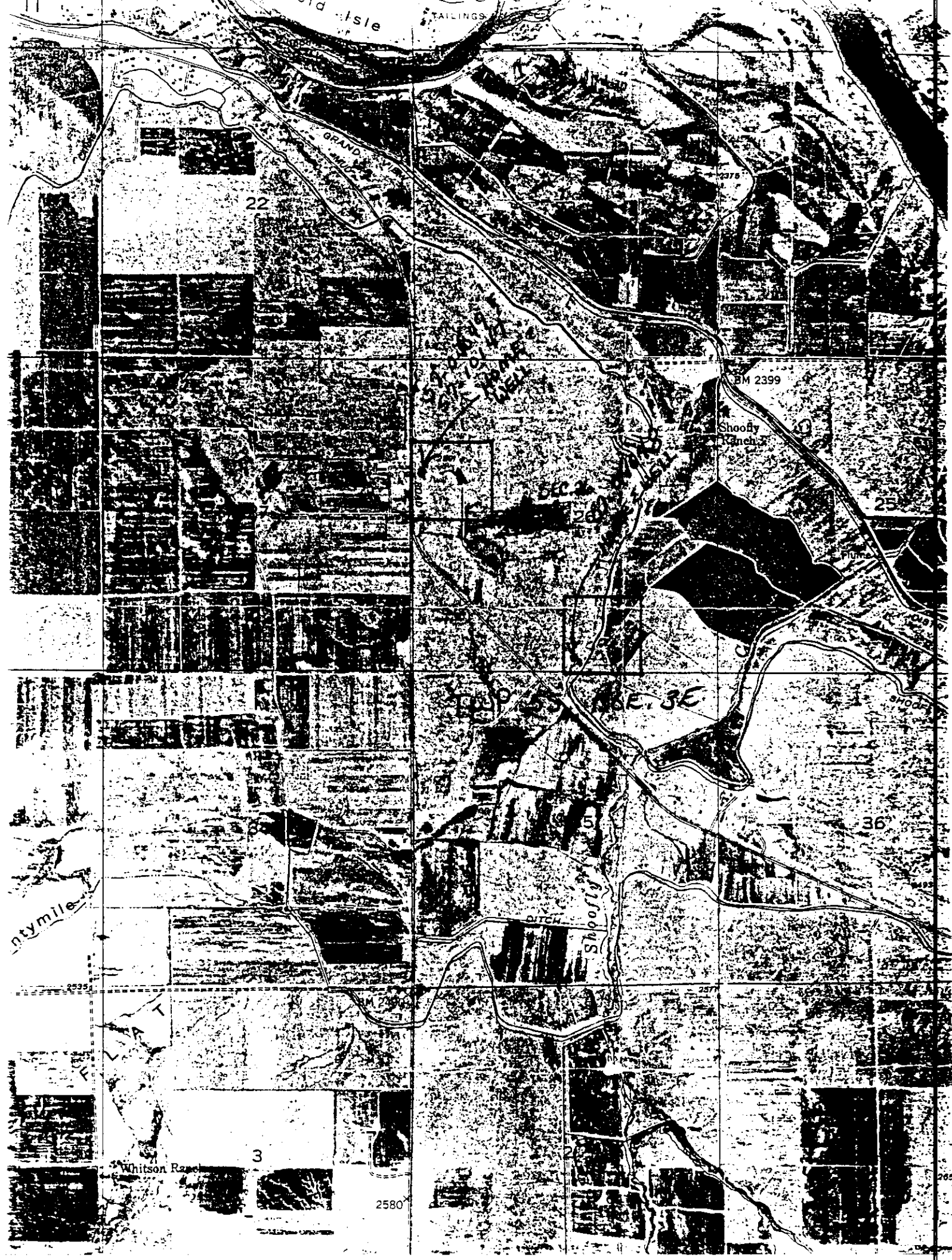
During the visit the following problems were noted:

Right No. 57-04049. The point of diversion and place of use should be the SWNW, Sec. 26, Twp. 5S, Rge. 3E.

Right No. 57-04050. The point of diversion and place of use should be the SWSE, Sec. 26, Twp. 5S, Rge. 3E.

Right No. 57-10147. This claim was recommended to be disallowed because beneficial use was not found. Mr. Field located the point of diversion and place of use for this right in the NWSWNW, Sec. 26, Twp. 5S, Rge. 3E. He assured me that the right has been used for heating of the home for many decades. It appears that the location of the place of use and point of diversion were claimed incorrectly as being in Rge. 4E rather than 3E. The Department did contact Mr. Field during the notice of error procedure to let him know why it was recommended for disallowal - the land was owned by BLM for Rge. 4E, and sent a map for him to locate the correct place of use. However, no response was received.

The Department recommends that these claims be corrected and recommended for decree.



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 57-04050
TWIN FALLS, IDAHO

NAME & ADDRESS: HOWARD J FIELD
PO BOX 342
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/01/1967

POINT OF DIVERSION: T05S R03E S26 NWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T05S R03E S26 NWSE

Place of use for DOMESTIC is same as STOCKWATER

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.

DATED: NOV 15 1996



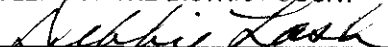
DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

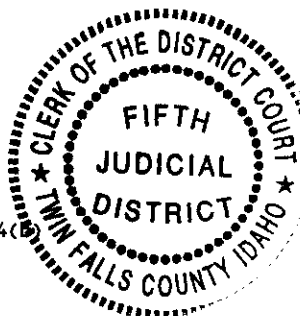
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

State of Idaho ss.
County of Twin Falls
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 

DEPUTY CLERK
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-04050



DATED: NOV 15 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication