



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

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SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 9, 2002

James Robinson
PO Box 157
Rockland, ID 83271

Dear James:

Attached are the water right listings for Rock Creek, Water District 41 that we spoke about today on the phone. Also attached is a listing of rights for which objections have been filed in the SRBA and that are still in the process of being settled or resolved. Also is a list of raw data obtained from the SRBA Court.

Please note that I have identified the main lists of rights (one sorted by "priority" and one sorted by "ditch name") as "Preliminary". I have reserved this designation because I want to make sure that I have not overlooked certain water rights or water sources within the district. I hope therefore that you carefully review the list and advise me if you have any concerns or questions regarding the information on the list. IDWR will send you a summary printout of each water right so that you have more detailed information for your records as soon the database issues we discussed have been resolved. You will also be sent a more complete listing.

Based on my review of the attached records it appears that nearly all of the rights have been partially decreed by the SRBA court except for those few remaining rights with objections. Given that nearly 100 percent of the rights have been partially decreed it is appropriate to begin delivering water in the district based on the partial decrees. The Department therefore directs you to begin delivering water rights in the district this year using the attached list. The decreed water rights shown on the objection list should be delivered in accordance with the original decree until such time as the SRBA recommendations for these rights are resolved and partially decreed by the SRBA Court. Water right 41-10235, a beneficial use claim on the objection list, should only be

delivered if all other water rights in the district are satisfied. This latter claim can be delivered in normal priority sequence once it is settled and decreed by the SRBA court.

Again, I suggest that you review the list carefully and address any concerns or questions you may have concerning these rights to either Steve Clelland, Tim Luke, or I.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is fluid and cursive, with a large initial "A" and "M".

Allen Merritt, PE
Southern Region Manager

Enclosures

Cc: Steve Clelland, Adjudication Bureau, Boise
Tim Luke, Water Distribution