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Department of Water Resources

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ISB # 6697

Counsel for the United States of America

**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	)	Subcase Nos. 81-10293
	)	
	)	MOTION TO CORRECT CLERICAL ERROR
CASE NO: 39576	)	
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is a motion by the United States of America, acting through the United States Department of Agriculture, Forest Service ("Forest Service") to correct a clerical error in the Notice of Amended Claim ("Claim") attached to the Affidavits of Steven M. Spencer and William A. Schuckert in the above captioned subcase.

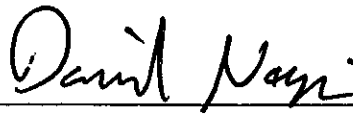
The Claim identifies quantity in two locations on the form. Under the Quantity element it lists .02 CFS. Under the Purpose and Period of Use element, Quantity is listed as .04 CFS. In the Affidavit of William A. Schuckert, the affiant stated that the correct quantity is .04 CFS. The quantity shown as .02 CFS is a clerical error and should be corrected.

MOTION

Therefore, pursuant to I.R.C.P. 60(a), the Forest Service requests that the clerical error found in the Claim for subcase no. 81-10293 be corrected by changing the Quantity element to show .04 CFS which corresponds to the listed quantity under the Purpose and Period of Use element. A corrected Claim is attached.

Dated this 9th day of June, 2003.

Respectfully submitted,

A handwritten signature in black ink, reading "David Negri", is written over a horizontal line.

David L. Negri
United States Department of Justice

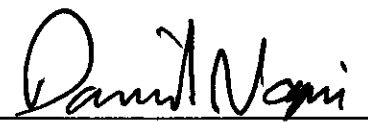
Certificate of Service

I certify that on June 9, 2003, I caused to be served a true and correct copy of the **MOTION TO CORRECT CLERICAL ERROR - 81-10293** to the addresses listed below, by U.S. mail, postage prepaid:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720


David L. Negri

**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	)	Subcase Nos.: 81-10293
	)	
Case Number: 39576	)	ORDER GRANTING MOTION TO
	)	CORRECT CLERICAL ERROR
	)	
	)	
	)	
	)	

On June 9, 2003 the United States of America, acting through the Department of Agriculture, Forest Service filed a Motion to Correct a Clerical Error.

Good cause showing, IT IS ORDERED that the clerical error found in the Notice of Amended Claim and attached to the Affidavits of Steven M. Spencer and William A. Schuckert be corrected to reflect that the quantity of the claimed water right as .04 CFS. IT IS SO ORDERED.

Dated: June _____, 2003.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER GRANTING MOTION TO CORRECT CLERICAL ERROR

NOTICE OF AMENDED CLAIM
RESERVED UNDER FEDERAL LAW

Right Number: 81-10293

Name and Address: UNITED STATES OF AMERICA ACTING THROUGH THE
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

Source: SPRING Tributary: SALMON RIVER

Quantity: ~~.02~~ .04 CFS

Priority Date: 02-22-1897

Point of Diversion: T24N R13E S16 SENW Within Idaho County

Purpose and			
Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Domestic~~	03-01 TO 11-30	.04 CFS
	<u>Administrative</u>		

Place of Use:	~~Domestic~~	Within Idaho County
	<u>Administrative</u>	
	T24N R13E S16	NESW

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Reserved

FOREST SERVICE RECORD ID = 0103 17060207 76 A002
Lantz Bar Guard Station