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Department of Water Resources

Names of Parties Serving Document:

UNITED STATES OF AMERICA

WESTERN STOCKGROWERS
ASSOCIATION

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**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. 47-16744, 47-16915, 47-16938
	)	
	)	
	)	JOINT MOTION TO CORRECT
	)	CLERICAL ERRORS
CASE NO: 39576	)	
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is a joint motion by the United States of America, acting through the United States Department of Agriculture, Forest Service ("Forest Service") and the Western Stockgrowers

JOINT MOTION TO CORRECT CLERICAL ERRORS 78-04218, 78-10338, 78-10340, 78-12179, 78-12180 and 78-12181.

Association ("Parties") to correct clerical errors in the *Special Master's Reports and Recommendations* ("*Master's Reports*") issued for subcase nos. 47-16744, 47-16915, 47-16938.

MOTION

On April 28, 2003 the Parties filed *Standard Forms 5* ("*SF5's*") in the above captioned subcases. On June 24, 2003 the SRBA Court issued *Master's Reports* for these subcases.

The Parties have reviewed the *Master's Reports* and have identified clerical errors that should be corrected. Attached to this Motion are the water right descriptions that were attached to the *SF5's* with the portion of the water right description that requires correction in the *Master's Reports* identified in bold.

Therefore, pursuant to I.R.C.P. 60(a), the Parties request that the clerical errors found in the *Master's Reports* be corrected to reflect the stipulated agreements of the Parties in the *SF5's*.

Dated this 24 day of July, 2003.

United States on behalf of the
USDA Forest Service

Western Stockgrowers Association



David L. Negri Date



Travis L. Thompson Date

7/22/03

CERTIFICATE OF MAILING

I certify that on July 24, 2003, I mailed the original and copies of this *Joint Motion to Correct Clerical Errors*, including all attachments, postage prepaid and addressed as follows:

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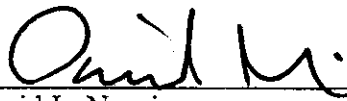
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Snake River Basin Adjudication
253 Third Avenue North
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Twin Falls, ID 83303-2707

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Counsel for the Western Stockgrowers Association



David L. Negri

Right Number: 47-16744

Name and Address:

WESTERN STOCK GROWERS
ASSOCIATION ET AL.
2391 ROCK CREEK RD
HANSEN, ID 83334

~~DAVID CROCKETT~~
~~2678 A ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~RAYMOND BUTLER~~
~~3094 A N 3800 E~~
~~HANSEN, ID 83334~~

~~WALLACE BROWN~~
~~3389 N 3700 E~~
~~HANSEN, ID 83334~~

~~BROKEN DIAMOND RANCH~~
~~C/O CHARLES AND SHARI HELMAN~~
~~2391 ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~BIRCHIE BROWN~~
~~C/O TAYLOR BROWN~~
~~340 W 350 S~~
~~JEROME, ID 83338~~

~~MATHERS RANCH INC.~~
~~3485 E 3100 E~~
~~KIMBERLY, ID 83341~~

~~KINSEY FAMILY LLP~~
~~C/O WILMOTH KINSEY~~
~~3497 A E 3000 N~~
~~KIMBERLY, ID 83341~~

~~WILLIAMS PROPERTIES LLC~~
~~C/O AARON WILLIAMS~~
~~2600 N 2900 E~~
~~TWIN FALLS, ID 83301~~

~~WILLIAMS INC.~~
~~THOMAS A. WILLIAMS~~
~~WILLIAM J. WILLIAMS~~
~~C/O BILLY WILLIAMS~~
~~3128 N 3200 E~~
~~TWIN FALLS, ID 83301~~

~~TUGAW RANCH~~
~~C/O JOE TUGAW~~
~~3277 WOODBRIDGE DR.~~
~~TWIN FALLS, ID 83301~~

~~TOM KUNKEL~~
~~RT. 3 HOLLISTER~~
~~TWIN FALLS, ID 83301~~

Source: POLE CAMP CREEK Tributary: SHOSHONE CREEK

Quantity: .02 CFS

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

Priority Date: 06-01-1872

Diversion Point:	~~T13S R18E S29~~	~~SWSE~~	~~(Instream Beginning)~~	~~Twin Falls~~
	~~T14S R17E S12~~	~~SESE~~	~~(Instream Beginning)~~	~~Twin Falls~~
	~~T14S R17E S12~~	~~SESE~~	~~(Instream Ending)~~	~~Twin Falls~~
	~~T14S R18E S05~~	~~NWNW~~	~~(Instream Beginning)~~	~~Twin Falls~~
	~~T14S R18E S05~~	~~NWNW~~	~~(Instream Ending)~~	~~Twin Falls~~
	~~T14S R18E S06~~	~~SENE~~	~~(Instream Beginning)~~	~~Twin Falls~~
	~~T14S R18E S06~~	~~SENE~~	~~(Instream Ending)~~	~~Twin Falls~~

Purpose and Period of Use:	Purpose of Use Stockwater	Period of Use 05-15 TO 10-15	Quantity .02 CFS
Place of Use:	Stockwater	Within Twin Falls County	
	~~T13S R18E S29~~	~~SWSE~~	
	~~S32~~	~~NENW~~	~~SENW~~
		~~NESW~~	~~NWSW~~
		~~SWSW~~	
	T14S R17E S12	NENE	SENE
		SESE	
	R18E S05	NWNW	~~SWNW~~
	S06	SENE	~~NESE~~
		~~NWSE~~	~~SWSE~~
	S07	NENW	~~NWNW~~
		~~SWNW~~	

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

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. SECTION 42-1412(6), IDAHO CODE.

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

Explanatory Material: Basis of Claim - Beneficial Use

Right Number: 47-16915

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

Source: HOPPER GULCH SPRING Tributary: SINKS

Quantity: .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO. 47-16916 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

Priority Date: 06-12-1905

Diversion Point: T14S R17E S11 NWSWN Within Twin Falls County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-01 TO 10-31	.02 CFS

Place of Use:	Stockwater	Within Twin Falls County
	T14S R17E S11	SWNW

Other Provisions Necessary for Definition / Administration of this Water Right:
THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE TWIN FALLS COUNTY RECORDER AND RECORDED ON APRIL 21, 2003 AS INSTRUMENT NO: 2003-010014; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

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. SECTION 42-1412(6), IDAHO CODE.

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

Explanatory Material: Basis of Claim - Beneficial Use

FOREST SERVICE RECORD ID = 0414 17040213 23 0065

Right Number: 47-16938

Name and Address: WESTERN STOCK GROWERS ASSOCIATION
2391 ROCK CREEK RD
HANSEN, ID 83334

Source: SPRING Tributary: SINKS

Quantity: .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.47-16937 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

Priority Date: 06-13-1890

Diversion Point: T14S R18E S33 SWSENE Within Twin Falls County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-01 TO 10-31	.02 CFS

Place of Use:	Stockwater	Within Twin Falls County
	T14S R18E S33	SENE

Other Provisions Necessary for Definition / Administration of this Water Right:
THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE TWIN FALLS COUNTY RECORDER AND RECORDED ON APRIL 21, 2003 AS INSTRUMENT NO: 2003-010014; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

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. SECTION 42-1412(6), IDAHO CODE.

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

Explanatory Material: Basis of Claim - Beneficial Use