



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

March 25, 2008

Special Master Ted Booth
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: *Subcase No. 72-10183 (Will)*

Dear Special Master Booth:

An *Order of Partial Decree* was entered for this water right on October 3, 1997 ("Partial Decree"). A *Motion to Set Aside Partial Decree* was filed by Arthur and Diana Will on November 14, 2007. During the hearing concerning the *Motion to Set Aside Partial Decree* on December 4, 2007, the Idaho Department of Water Resources ("IDWR") acknowledged that the original Director's Report did indeed contain an error. During that hearing, you requested that IDWR provide a corrected Director's Report. Accordingly, I am attaching a revised Director's Report correctly describing this water right.

IDWR respectfully requests the Court issue an amended partial decree, pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure, correcting the error in the Partial Decree.

I am sending a copy of this letter to the parties of this subcase, so that they are aware of this correction to the water right.

If you should have any questions, please contact me at (208) 287-4813.

Sincerely,

A handwritten signature in black ink that reads "Nick Spencer".

Nicholas B. Spencer
Deputy Attorney General, IDWR

Enclosure

cc: Harry & Judy Schultz
Arthur & Diana Will

03/24/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 72-10183

NAME AND ADDRESS: ARTHUR J WILL
PO BOX 163
CHALLIS ID 83226-0163

DIANA I WILL
PO BOX 163
CHALLIS ID 83226-0163

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/01/1973

POINT OF
DIVERSION:

T14N R19E S16 NWNESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC in CUSTER County

T14N R19E S16 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR 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