



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

October 27, 2008

Clerk of the Court
SRBA District Court
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Clerical error for IDWR recommendation 63-27051

To the Clerk of the SRBA District Court:

A clerical error occurred for water right recommendation 63-27051, a water right assigned to Mr. and Mrs. Donald J. Roberts. The Quantity was incorrectly listed as .43 cfs. The correct amount should be .46 cfs as reflected under the "Purpose and Period of Use" section of the recommendation.

Enclosed please find a revised recommendation page in overstrike/underscore format correcting the Quantity amount in subcase number 63-27051. I am also sending copies of this correspondence to the claimants so that they are aware of this clerical oversight and the proposed corrections. Please advise if this letter will suffice to correct this recommendation.

Thank you for your cooperation in this regard. If you have any questions, please call me at (208) 287-4814.

Sincerely,


Renea Ridgeway
Paralegal, IDWR

cc: Mr. & Mrs. Donald J. Roberts

10/20/2008

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

RIGHT NUMBER: 63-27051

NAME AND ADDRESS: CINDY ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641

DONALD J. ROBERTS
1555 S. SOUTHSIDE BLVD
MELBA ID 83641

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it-and/or for access to the drain by the appropriator to divert water pursuant to this right-must be executed among the appropriator, the owner of the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

QUANTITY: ~~0.430~~ 0.046 CFS

PRIORITY DATE: 03/15/1952

POINT OF
DIVERSION:

T01S R02W S12 NWNESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.460 CFS

PLACE OF USE: IRRIGATION in CANYON County

T01S R02W S12	NESW	1.60	T01S R02W S12	NWSW	21.00
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22.6 ACRES TOTAL

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 source of this water right is waste water. The wasting of water may be discontinued at any time.

~~Water shall not be diverted under this right until an easement or right of way with the owner of the drain providing for access to the drain is filed with the Department.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use