



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN
March 6, 2009

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

RE: Clerical Error for IDWR Subcase Nos. 21-114C and 21-115A

To the Clerk of the SRBA District Court:

A clerical error occurred for water right recommendations 21-114C and 21-115A for Donna and Robert Fuchs. The Points of Diversion were incorrectly listed as NWNESE but should be NENESE. The mistakes were discovered when the water agent was reviewing an overlapping water right. As of the date of this letter, these water rights have not been decreed.

Enclosed please find a revised recommendation page in overstrike/underscore format correcting the Point of Diversion for subcases 21-114C and 21-115A. A copy of which will be forwarded to the claimants' counsel.

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

Sincerely,

A handwritten signature in cursive script that reads "Renea Ridgeway".

Renea Ridgeway
Paralegal for IDWR

cc: Claimants

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

RIGHT NUMBER: 21-114C

NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442

ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: Source: FALL RIVER Tributary: HENRYS FORK

QUANTITY: 3.500 CFS 0.00 AFY

The rights listed below are limited to a total combined diversion rate of 3.5 cfs. Combined Right Nos. :21-114C, 21-12985.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T09N R43E S35 NENESE Within FREMONT County
~~T09N R43E S35 NWNESE~~ ~~Within FREMONT County~~

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	3.500 CFS

PLACE OF USE: IRRIGATION within FREMONT County

T08N R41E S12 Lot 1 SENE 31.0

T08N R42E S06 Lot 9 NESW 21.0

T08N R42E S06 SESW 40.0

T08N R42E S06 NESE 39.0

T08N R42E S06 Lot 14 NWSE 32.0

T08N R42E S06 SWSE 40.0

T08N R42E S06 SESE 40.0

T08N R42E S07 NENE 40.0

T08N R42E S07 NWNE 40.0

T08N R42E S07 NENW 40.0

T08N R42E S07 Lot 1 NWNW 27.0

T08N R42E S07 Lot 2 SWNW 30.0

420 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.:21-114C, 21-115A, 21-115B, 21-12985,21-12991

This right is limited to the irrigation of 57 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 21-12985 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through North Fremont Canal System (Farmers Own Canal).

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

RIGHT NUMBER: 21-115A

NAME AND ADDRESS: DONNA T FUCHS
3857 E 500 N
RIGBY ID 83442
ROBERT E FUCHS
3857 E 500 N
RIGBY ID 83442

SOURCE: Source: FALL RIVER Tributary: HENRYS FORK

QUANTITY: 0.300 CFS 0.000 AFY

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION: T09N R43E S35 NENESE Within FREMONT County
~~T09N R43E S35 NWNESE Within FREMONT County~~

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION within FREMONT County

T08N R41E S12 Lot 1 SENE 31.0
T08N R42E S06 Lot 9 NESW 21.0
T08N R42E S06 SESE 40.0
T08N R42E S06 NESE 39.0
T08N R42E S06 Lot 14 NWSE 32.0
T08N R42E S06 SWSE 40.0
T08N R42E S06 SESE 40.0
T08N R42E S07 NENE 40.0
T08N R42E S07 NWNE 40.0
T08N R42E S07 NENW 40.0
T08N R42E S07 Lot 1 NWNW 27.0
T08N R42E S07 Lot 2 SWNW 30.0

420 ACRES TOTAL

This right is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 420 acres in a single irrigation season. Combined Right Nos.: 21-114C, 21-115A, 21-115B, 21-12985, 21-12991

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through North Fremont Canal System (Farmers Own Canal).