



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

January 12, 2010

The Honorable Eric Wildman
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase Nos. 27-12018 & 27-12024 (Jougland Sheep Co.)

Dear Judge Wildman:

This Court entered an *Order of Amended Partial Decrees* for these water rights on August 5, 2009. Recently, while working towards resolution of several overlapping water rights belonging to the same claimant, it came to the attention of the Idaho Department of Water Resources ("Department") that the amended partial decrees for 27-12018 and 27-12024 contain an error.

The error is the reference to water right number 27-12191 in the quantity remarks on both rights. Judge Melanson dismissed late claim 27-12191 on July 23, 2009, making the reference in the combined use limits of 27-12018 and 27-12024 unnecessary and potentially confusing for future administration.

Accordingly, the Department requests this Court issue amended partial decrees pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure, correcting the error in the partial decrees. For that purpose, I am attaching Amended Director's Reports which accurately describe the elements of the two water rights. I am sending a copy of this letter to the claimant and to counsel for all parties so that they are aware of this error.

If you should have any questions or comments, please feel free to contact me at (208) 287-4810.

Sincerely,

A handwritten signature in black ink that reads "Andrea L. Courtney".

Andrea L. Courtney
Deputy Attorney General, IDWR

Cc: Jougland Sheep Co.
Jeanette Wolfley
Shasta Kilminster-Hadley
Michael Holliday

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

RIGHT NUMBER: 27-12018

NAME AND ADDRESS: JOUGLARD SHEEP CO INC
PO BOX 245
RUPERT ID 83350

SOURCE: UNNAMED STREAMS TRIBUTARY: TRAIL CREEK

QUANTITY: 0.020 CFS
2.70 AFY

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

The rights listed below are limited to a total combined annual diversion volume of 9.7 af for stockwater. Combined Right Nos.: 27-2080A, 27-2080B, 27-12018, 27-12019, 27-12020, 27-12021, 27-12022, 27-12023, 27-12024, 27-12025, 27-12026, and 27-12144.

PRIORITY DATE: 04/01/1946

POINT OF
DIVERSION:

T08S R43E S18 NENESW End of Stream Flow Within CARIBOU County
T08S R43E S18 NENESW End of Stream Flow Within CARIBOU County
T08S R43E S18 SWNWSW Lot 3 Begin of Stream Flow Within CARIBOU County
T08S R43E S19 SENENW Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/15 10/31	0.020 CFS 2.70 AFY

PLACE OF USE: STOCKWATER in CARIBOU County

T08S R43E S18	NESW	T08S R43E S18 Lot 3	NWSW
T08S R43E S18	SESW	T08S R43E S19	NENW

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 - Beneficial Use

Stockwater use is for 100 range cattle and 2000 sheep.

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

RIGHT NUMBER: 27-12024

NAME AND ADDRESS: JOUGLARD SHEEP CO INC
PO BOX 245
RUPERT ID 83350

SOURCE: UNNAMED STREAMS

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
1.00 AFY

The rights listed below are limited to a total combined annual diversion volume of 9.7 af for stockwater. Combined Right Nos.: 27-2080A, 27-2080B, 27-12018, 27-12019, 27-12020, 27-12021, 27-12022, 27-12023, 27-12024, 27-12025, 27-12026, and 27-12144.

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

PRIORITY DATE: 04/01/1946

POINT OF
DIVERSION:

T08S R43E S34 SENENE End of Stream Flow Within CARIBOU County
T08S R43E S34 SENENE End of Stream Flow Within CARIBOU County
T08S R43E S34 SWNWNE Begin of Stream Flow Within CARIBOU County
T08S R43E S34 NWNWSE Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/15 10/31	0.020 CFS 1.00 AFY

PLACE OF USE: STOCKWATER in CARIBOU County

T08S R43E S34	NENE	T08S R43E S34	NWNE
T08S R43E S34	SWNE	T08S R43E S34	SENE
T08S R43E S34	NWSE		

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 - Beneficial Use

Stockwater use is for 1000 sheep.