



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

March 24, 2010

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

RE: Clerical Errors in Subcase Nos. 85-7317A and 85-7317B

To the Clerk of the SRBA District Court:

It recently came to the Department's attention that the decrees issued in the above referenced subcases each contain a clerical error. The current recommendations should be corrected as follows:

- A. Subcase 85-8317A - The place of use (POU) should be corrected to list the government lot rather than the quarter-quarter (QQ) description as the QQ description is not applicable. The current POU is NWNE in Section 9. However, it should be in Section 9, Lot 6.
- B. Subcase 85-8317B –
 - a. The priority date should be corrected to match the priority date issued on the license. The partial decree lists the priority date as 12/2/1982, however, it should be 01/30/83.
 - b. The point of diversion (POD) description should be corrected to more accurately describe the QQQ description. The current POD is SWSESE in Section 4; however, it should be SESESE in Section 4.

The revised recommendations are attached in overstrike/underscore format reflecting the changes discussed above. Copies of this correspondence is also being sent to the claimants so that they are aware of the clerical oversights and proposed corrections.

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 blue ink that reads "Renea Ridgeway". The signature is fluid and cursive, with the first name "Renea" and last name "Ridgeway" clearly distinguishable.

Renea Ridgeway
Paralegal for IDWR

cc: Claimants

03/19/2010

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

RIGHT NUMBER: 85-7317A

NAME AND ADDRESS: GERALDINE HIGGINS
RT 1 1600 FORSMAN RD
LEWISTON ID 83501

BOB H HIGGINS
RT 1 1600 FORSMAN RD
LEWISTON ID 83501

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
1.20 AFY

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

PRIORITY DATE: 01/30/1983

**POINT OF
DIVERSION:**

T33N R04W S4 SESESE Within NEZ PERCE County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.010 CFS 1.20 AFY

PLACE OF USE: DOMESTIC in NEZ PERCE County

T33N R04W S09 Lot 6 NWNE

-OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 - License

PARCEL NO. RP33N04W090010

03/19/2010

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

RIGHT NUMBER: 85-7317B

NAME AND ADDRESS: GERALD D GRUELL
39163 FORSMAN LN
LEWISTON ID 83501-7825

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
1.20 AFY

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

PRIORITY DATE: 01/30/1983
~~12/02/1982~~

**POINT OF
DIVERSION:**

T33N R04W S4 ~~SW~~SESESE Within NEZ PERCE County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.010 CFS 1.20 AFY

PLACE OF USE: DOMESTIC in NEZ PERCE County

T33N R04W S03 SWSW T33N R04W S04 SESE

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 - License

PARCEL NO. RP33N04W036160 PARCEL NO. RP33N04W049075