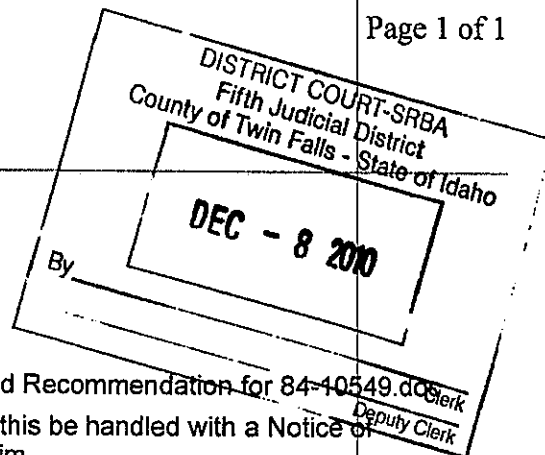


Paul Harrington

From: Diana Delaney [ddelaney@srba.state.id.us]
Sent: Wednesday, December 08, 2010 10:20 AM
To: Paul Harrington
Subject: FW: Clerical Error in Partial Decree 84-10549

Attachments: Corrected Recommendation for 84-10549.pdf; Corrected Recommendation for 84-10549.doc
This partial decree was issued as an uncontested partial in 2000. Can this be handled with a Notice of Court's Intent to Amend. I've asked Carter to send us a copy of the claim



From: Fritschle, Carter [mailto:Carter.Fritschle@idwr.idaho.gov]
Sent: Tuesday, December 07, 2010 8:40 AM
To: Diana Delaney
Cc: Ciscell, Michael
Subject: Clerical Error in Partial Decree 84-10549

Good Morning Diana,

There is a clerical error in water right 84-10549 that appears to be traceable back to claims taking in the SRBA. The point of diversion is in T35N, R04E, Section 10 while the place of use was claimed and reported in T10N, R04E, Section 35. It appears that the Township and Section numbers were transposed on the claim. The SENE of Section 10 appears to be the correct place of use, and that quarter-quarter is owned by the claimants Lawrence and Alice Hutchins. The aerial photo reveals a farmstead in that legal description as well.

The tax lot data from Clearwater County updated earlier this year still shows a mailing address for the Hutchins as PO Box 178, Weippe, ID 83553. I have attached the corrected recommendation as both Word and Adobe documents that show the corrected place of use in strikethrough/underline format.

Please let me know if there is anything else the Court may need from IDWR to correct the partial decree.

Thank you,

Carter

12/9/2010

12/07/2010

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

RIGHT NUMBER: 84-10549

NAME AND ADDRESS: ALICE E HUTCHINS
PO BOX 178
WEIPPE ID 83553

LAWRENCE O HUTCHINS
PO BOX 178
WEIPPE ID 83553

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS

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

PRIORITY DATE: 12/31/1936

POINT OF
DIVERSION:

T35N R04E S10 SESENE Within CLEARWATER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.030 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER in CLEARWATER County

~~T10N~~ T35N R04E ~~S35~~ S10 SENE

DOMESTIC in CLEARWATER County

~~T10N~~ T35N R04E ~~S35~~ S10 SENE

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

PARCEL NO. RP35N04E100001 STOCKWATER, 80 HEAD