



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

July 18, 2011

Ms. Diana Delaney
SRBA Case Administrator
Snake River Basin Adjudication Court
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Decreed right 41-57 (Direct Communications Star West, Inc.)

Dear Ms. Delaney:

Legal counsel for the above-referenced water right holder has brought to IDWR's attention the fact that there is a clerical error in the partial decree for water right 41-57. The error originated in the original SRBA claim for the right, got carried over into IDWR's recommendation of the claim, and from there into the partial decree.

The error is in the point of diversion element of the right. The legal description of the point of diversion reads "T11S R13E S31 SWNE". The point of diversion in fact is in Township 09 South rather than Township 11 South.

This appears to me to be a clerical error that the SRBA Court is authorized to correct on its own motion pursuant to Rule 60(a), Idaho Rules of Civil Procedure. Therefore I request the Court to review the nature of the error and, if appropriate, to correct it per the Court's normal procedure. To assist the Court in that regard I have enclosed a draft proposed partial decree highlighting and correcting the error.

Thank you very much for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, reading "Nicholas B. Spencer", is written over a horizontal line.

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

Enclosure: 1

cc (w/ enc): Michael Lawrence, Esq.

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

41-57