

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED AN ERROR IN THE SRBA PARTIAL DECREE OF THE WATER RIGHT LISTED BELOW. IDWR REQUESTS THE COURT TO DETERMINE IF IT CAN CORRECT THE ERROR THROUGH ITS NORMAL NOTICE AND HEARING PROCESS, AND IF SO, TO CORRECT THE ERROR ACCORDINGLY. BY COPY OF THIS FORM IDWR IS ALSO NOTIFYING THE OWNER OF THE WATER RIGHT OF THE ERROR IN QUESTION.

WATER RIGHT NO. 37-22499

NAME OF OWNER LISTED ON THE PARTIAL DECREE Silver Sage Assn Inc

CURRENT OWNER (IF DIFFERENT) _____

TODAY'S DATE 8/31/12

An error exists in the description of the following element(s) of the partial decree:

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and/or Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. **X Place of Use**

Should be: Remark should be corrected to include 37-**20843**, and not 37-**20043**, in the combined use limit. "The rights listed below are limited to the irrigation of a combined total of 14 acres in a single irrigation season. Combined Right Nos.: 37-21240, 37-21242, 37-20843 and 37-22499. This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season."

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

The SF5 filed on January 24, 2012 included a remark in the Place of Use element. It stated, "The rights listed below are limited to the irrigation of a combined total of 14 acres in a single irrigation season. Combined Right Nos.: 37-21240, 37-21242, 37-**20843** and 37-22499. This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season." (Emphasis added.) The Special Master's Report & Recommendation listed the combined rights as "37-21240, 37-21242, 37-**20043** & 37-22499." (Emphasis added.) That error continued to the partial decree. The correct subcase number for inclusion in the combined rights list is 37-20843.

For more information about the error the Court and/or water right holder should contact the person identified below.

CONTACT PERSON: Doug Jones

TELEPHONE NUMBER: (208) 736-3033

E-MAIL ADDRESS: doug.jones@idwr.idaho.gov

MAILING ADDRESS: 322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

For your convenience, a corrected recommendation of the water right is attached.

05/11/2011

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

RIGHT NUMBER: 37-22499

NAME AND ADDRESS: SILVER SAGE ASSN INC
PO BOX 1702
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of groundwater under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.260 CFS
45.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for irrigation of the described lands.

PRIORITY DATE: 01/05/1950

POINT OF
DIVERSION:

T03N R18E S32 NWSENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.260 CFS 45.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33	NWSW	1.00	T03N R18E S33	SWSW	9.00
T03N R18E S33	SESW	4.00			

14 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 14 acres in a single irrigation season. Combined Right Nos.: 37-21240, 37-21242, 37-20843 and 37-22499.

This right is limited to the irrigation of 13 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 - License

This right is a split from former right 37-2507A.

CERTIFICATE OF SERVICE

I certify that on August 31, 2012, I caused to be served true and correct copies of this REQUEST FOR CORRECTION OF ERROR, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

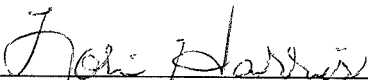
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

3. Copy to the Owner:

James P. Speck
Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form