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LARRY ECHOHAWK
ATTORNEY GENERAL

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

A. LYNNE KROGH
SUSAN E. HAMLIN
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7920
FAX: (208) 327-7866

39576
[34-07029]/
94-02-0041

Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Drainage)
Basin Water System)
_____)

Case No. 39576

The State of Idaho, ex rel. R. Keith)
Higginson in his official capacity as)
director of the Idaho Department of)
Water Resources)
_____)

Petitioner,)
_____)

vs.)
_____)

United States; State of Idaho; and)
all unknown claimants to the use of)
water from the Snake River Drainage)
Basin Water System,)
_____)

Respondents.)
_____)

JOINT MOTION TO
CORRECT ERRORS
TO DIRECTOR'S REPORT
OF WATER RIGHT NO.
34-07029

DESCRIPTIVE SUMMARY

This document is Idaho Department of Water Resource's and M. Todd Perkes' motion to correct clerical errors to the director's report in Basin 34 for water right no. 34-07029.

JOINT MOTION

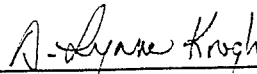
IDWR and M. Todd Perkes moves to correct clerical errors to water right no. 34-07029 as shown in the attached Exhibit 1, incorporated and referenced herein. Water right number 34-12382, which is also claimed by M. Todd Perkes, was in advertently omitted from the Director Report. The claimant filed objection no. 34-12382-0001, asserting the omission of right no. 34-12382 from the report. IDWR filed a response to the objection which included IDWR's recommendation regarding right no. 34-12382, and the parties to subcase no. 34-12382 have filed a stipulation agreeing that the description of the right in the response is correct. However, the resolution of the objection to right no. 34-12382 necessitated changes in water right no. 34-07029, as shown in Exhibit 1, attached hereto. Therefore, IDWR and M. Todd Perkes respectfully asks the court to grant the motion to correct the clerical error in water right no. 34-07029.

Dated the 15th day of February 1994.

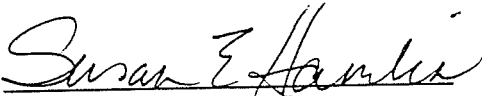
LARRY ECHOHAWK
Attorney General

CLIVE J. STRONG
Deputy Attorney General

Chief, Natural Resources Division

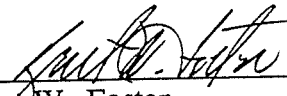


A. LYNNE KROGH
Deputy Attorney General
Department of Water Resources



SUSAN E. HAMLIN
Deputy Attorney General
Department of Water Resources

Dated the ____ day of _____, 1994.



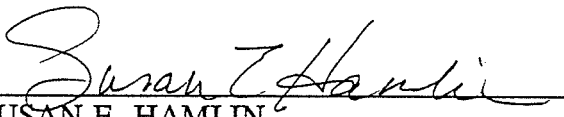
Kent W. Foster
Attorney for M. Todd Perkes

CERTIFICATE OF SERVICE

I hereby certify that in the 15th day of ~~January~~^{February}, 1994, I served true and correct copies of the foregoing document on the following persons by mailing in the U.S. mail, first class, with the correct postage affixed thereto.

U.S. Department of Justice
Environmental & Natural Resources Division
550 W. Fort Street, Box 33
Boise, Idaho 83734

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405


SUSAN E. HAMLIN
Deputy Attorney General
Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUL-1-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE FROM	PERIOD OF USE TO	MAXIMUM QUANTITY	BASIS OF CLAIM
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SOURCE: GROUNDWATER

34-07029	M TODD PERKES RT 1 BOX 69 MOORE ID 83255	12/04/1972	IRRIGATION	04-15 10-15	6.00 ~~1050.0~~ APY	CFS APY
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POINT OF DIVERSION:

T04N R26E S27

PLACE OF USE: IRRIGATION

T04N R26E S27
S27SWSNW
NWSWSESWSW 20.0
SWNE 2.0
SENW 40.0
SESW 39.0NENW 20.0 21.0
NESW 40.0
NWSE 2.0NWNW 40.0
NWSW 40.0
SWSE 2.0TOTAL QUANTITY: 6.00 CFS
~~1050.0~~ APY
CONSUMPTIVE USE: 750.0 APY

300.0 325.0 ACRES TOTAL

REMARKS: RIGHT NO. 34-12382 IS ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE.RIGHT NO. 34-07060 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION IN THE NWSWSE S27 T04N R26E AS DESCRIBED ABOVE.RIGHT NO. 34-12382 IS AN EXPANSION OF THIS RIGHT PURSUANT
TO IDAHO CODE 42-1416(2).THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH RIGHT NO. 34-12382 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.00 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1137.5 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 812.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 325 ACRES IN A SINGLE IRRIGATION SEASON.