

29

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39576
[34-07228]/
94-02-0043

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 SRBA	)	IDWR'S MOTION TO
	)	CORRECT ERRORS
Case No. 39576	)	IN WATER RIGHT NO.
	)	34-07228
_____	)	

DESCRIPTIVE SUMMARY

This document is Idaho Department of Water Resource's motion to correct clerical errors in the description of water right no. 34-07228 in the director's report.

MOTION

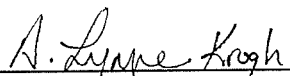
Pursuant to I.R.C.P. 15(a), IDWR moves to correct clerical errors in the description of water right no. 34-07228 as shown in the attached Exhibit 1, incorporated by reference herein. No objections were filed to IDWR's recommendation of the right; however, IDWR discovered

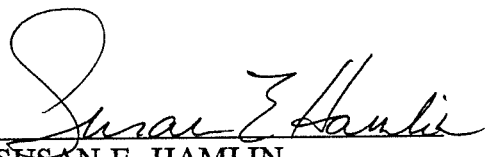
a clerical error after the Director's Report was filed with the court. The remark was changed because it inaccurately describes the water right number. IDWR respectfully asks the court to grant the motion to correct the clerical error so that the water right is accurately described in the partial decree.

Dated the 8th day of Feb., 1994.

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Department of Water Resources

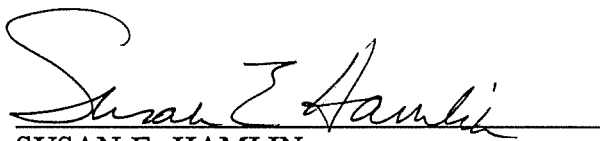

SUSAN E. HAMLIN
Deputy Attorney General
Department of Water Resources

CERTIFICATE OF SERVICE

I hereby certify that in the 8th day of Feb, 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

Wayne Rathbun
Mildred Rathbun
231 Skyline Dr.
Richland, WA 99325


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AJ5856NP

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

DATE: JAN-31-1994
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-07228	WAYNE RATHBUN MILDRED RATHBUN 231 SKYLINE DR. RICHLAND WA 99352	05/03/1979	IRRIGATION	04-15 10-15	.98 171.5	CFS AFY

TRIBUTARY:

SOURCE: GROUNDWATER

TOTAL QUANTITY: .98 CFS
TOTAL VOLUME: 171.5 AFY

POINT OF DIVERSION:

T05N R26E S34

PLACE OF USE: IRRIGATION

T05N R26E S34

49.0 ACRES TOTAL

REMARKS:

USE OF THIS RIGHT WITH RIGHT NO. 34-00621B IS LIMITED TO A
USE OF THIS RIGHT WITH RIGHT NO. 34-07228 IS LIMITED TO A

TOTAL COMBINED DIVERSION RATE OF 1.22 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 122.5 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 49 ACRES IN A SINGLE IRRIGATION SEASON.