

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. 01-233

NAME OF OWNER LISTED ON THE PARTIAL DECREE Enterprize Canal Co. LTD

CURRENT OWNER (IF DIFFERENT) _____

TODAY'S DATE July 16, 2013

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** –The total number of acres for this right is missing.

Should be: 5436 ACRES TOTAL

In addition, the 2006 digital boundary map should be replaced with the digital boundary map from 2008. See below for details.

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

A Standard Form 5 (SF5) for right 01-233 (Enterprize Canal Co. LTD) was filed with the Court June 13, 2008. The SF5, which removed federal land from the digital boundary, was submitted with updated digital boundary maps and compact discs. The right moved to partial decree in October 2008. IDWR staff has recently discovered the partial decree contains the map submitted with the original recommendation reported in 2006, instead of the map dated February 22, 2008, provided with the SF5s. In addition, the “5436 ACRES TOTAL” notation found under the POU element of the SF5 is missing from the partial decree. IDWR requests the map referenced in the digital boundary language shown under the POU element of the partial decree be replaced with the 2008 map (copies included), and the “5436 ACRES TOTAL” notation be added to the partial decree of right 01-233 under the POU element.

The replacement of the map will have no impact on the digital boundary CDs provided to the Court with the 2008 SF5. Additional color copies of the original digital boundary maps are provided for the Court’s convenience.

Water rights 01-59 and 01-60 are associated with 01-233 and are addressed in a separate Request for Correction of Error submitted concurrently with this Request.

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

CONTACT PERSON: Meghan Carter
TELEPHONE NUMBER: 208-287-4810
E-MAIL ADDRESS: meghan.carter@idwr.idaho.gov
MAILING ADDRESS: IDWR
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

A corrected recommendation of the water right is attached.

Request for Correction of Error

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

RIGHT NUMBER: 1-233

NAME AND ADDRESS: ENTERPRIZE CANAL CO LTD
PO BOX 225
RIRIE ID 83443

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 62.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T04N R40E S36 NESWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	62.000 CFS

PLACE OF USE:

5436 ACRES TOTAL

Place of use is within the area served by Enterprize Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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 - Decreed

Water is delivered through Enterprize Canal.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on July 17, 2013, 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:

ENTERPRIZE CANAL CO LTD
PO BOX 225
RIRIE ID 83443

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


Signature of person or attorney mailing the form