

REQUEST FOR CORRECTION OF ERROR

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

WATER RIGHT NOS. 01-35D, 01-82D, 01-83F, 01-162E, 01-164E, 01-165E, 01-243,
01-10492, 01-10500, 01-10501

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

CURRENT OWNER (IF DIFFERENT) _____

TODAY'S DATE August 1, 2013

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

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**-- Errors involve total acre number only. The total number of acres for these rights are missing.

Should be: 4583 ACRES TOTAL

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the errors:

Rights 01-35D, 01-82D, 01-83F, 01-162E, 01-164E, 01-165E, 01-243, 01-10492, 01-10500, and 01-10501 (Rudy Irrigation Canal Co. LTD) were recommended in the Director's Report for Irrigation and Other Water Rights in Basin 01, Part 2, filed with the court in December 2006. The recommendations contained a "4583 ACRES TOTAL" notation under the Place Of Use (POU) element. The rights were unobjected to, and moved to partial decree in January 2009. IDWR staff has recently discovered the partial decrees do not contain the "4583 ACRES TOTAL" language originally recommended. IDWR requests the correction of the POU element of the partial decrees to include the "4583 ACRES TOTAL" notation.

The addition of the acres total number will have no impact on the digital boundary CDs or maps originally provided to the Court. Additional color copies of the digital boundary maps are enclosed for the Court's convenience.

For more information about the errors 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

Corrected recommendations of the water rights are attached.

CERTIFICATE OF SERVICE

I certify that on August 1, 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:

RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

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



Signature of person or attorney mailing the form

RIGHT NUMBER: 1-35D

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER
Water is delivered from the Dry Bed.

QUANTITY: 2.120 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.020 CFS
IRRIGATION	04/01 10/31	2.120 CFS

PLACE OF USE:

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Stockwater use is for 200 dairy cattle and 200 range cattle.

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

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

RIGHT NUMBER: 1-82D

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 0.210 CFS

PRIORITY DATE: 06/01/1887

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	0.210 CFS

PLACE OF USE:

Place of use is within the area served by Rudy Irrigation 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.

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.

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

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

RIGHT NUMBER: 1-83F

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER
Water is delivered from the Dry Bed.

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.150 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	1.150 CFS

PLACE OF USE:

Place of use is within the area served by Rudy Irrigation 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.

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.

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

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

RIGHT NUMBER: 1-162E

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 90.681 CFS

PRIORITY DATE: 08/13/1888

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	90.681 CFS

PLACE OF USE:

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Proposed Correction to Partial Decree for 01-162E

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

RIGHT NUMBER: 1-164E
NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 12.690 CFS
PRIORITY DATE: 06/01/1900

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	12.690 CFS

PLACE OF USE:

4583 ACRES TOTAL

Place of use is within the area served by Rudy Irrigation 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 Rudy Canal and Rudy (Boomer) Canal.

RIGHT NUMBER: 1-165E

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 32.640 CFS

PRIORITY DATE: 06/01/1905

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	32.640 CFS

PLACE OF USE:

Place of use is within the area served by Rudy Irrigation 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.

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.

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

RIGHT NUMBER: 1-243

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 120.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	120.000 CFS

PLACE OF USE:

Place of use is within the area served by Rudy Irrigation 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.

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.

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

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

RIGHT NUMBER: 1-10492

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 27.330 CFS

PRIORITY DATE: 06/01/1889

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	27.330 CFS

PLACE OF USE:

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.

RIGHT NUMBER: 1-10500

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 2.100 CFS

PRIORITY DATE: 06/01/1886

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	2.100 CFS

PLACE OF USE:

Place of use is within the area served by Rudy Irrigation 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.

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.

This right is a combination of old Right Nos. 1-81D and 1-159.

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

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.

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

RIGHT NUMBER: 1-10501

NAME AND ADDRESS: RUDY IRRIGATION CANAL CO LTD
PO BOX 376
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 2.200 CFS

PRIORITY DATE: 06/01/1888

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County
T04N R40E S29 NENENW 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	2.200 CFS

PLACE OF USE:

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:

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Rudy Canal and Rudy (Boomer) Canal.