

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED ERRORS 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 RIGHT OF THE ERRORS IN QUESTION.

WATER RIGHT NOS. 01-116T, 01-117Z, 01-118T, 01-152, 01-153, 01-154, 01-155, 01-252

NAME OF OWNER LISTED ON THE PARTIAL DECREE Rigby Canal & Irrigating Co. Inc.

CURRENT OWNER (IF DIFFERENT)

TODAY'S DATE November 22, 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 these rights are missing and the name of the company is incorrect in a remark.

Should be:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating Company.

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

The Rigby Canal & Irrigation Co. water rights 01-116T, 01-117Z, 01-118T, 01-152, 01-153, 01-154, 01-155, and 01-252 were reported in the Director's Report for Irrigation and Other Rights in Basin 01, Part 2 filed in December 2006. The recommendations all contained a "2774ACRES TOTAL" notation under the Place Of Use (POU) element.

In March of 2007, a Notice of Completed Administrative Proceeding (NCAP) was filed, changing the claimant's name to Rigby Canal & Irrigating Co. Inc. The change impacted not only the Name and Address element of the rights, but also a remark shown under the POU element. The NCAP contained the "2774 ACRES TOTAL" notation as originally recommended. 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 "2774 ACRES TOTAL" notation and, although the Name and Address element reflects the NCAP'd name change, the remark shown under the POU element does not. IDWR requests the correction of the POU element of the partial decrees to include the "2774 ACRES TOTAL" notation and the POU remark to reflect the name change to Rigby Canal & Irrigating Co.

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 original map are provided for the Court's convenience.

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

Corrected recommendations of the water rights are attached.

Request for Correction of Error

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

RIGHT NUMBER: 1-116T

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 06/01/1887

POINT OF
DIVERSION: T04N R39E S15 NWNE 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	0.340 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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 Rigby Canal.

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

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

RIGHT NUMBER: 1-117Z

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.320 CFS

PRIORITY DATE: 06/01/1888

POINT OF
DIVERSION: T04N R39E S15 NWNE 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	0.320 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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

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

Water is delivered through Rigby Canal.

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

RIGHT NUMBER: 1-118T

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION: T04N R39E S15 NWNE 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	0.340 CFS

PLACE OF USE:

2774 ACRES TOTAL

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.

Place of use is within the area served by Rigby Canal & Irrigating Company.

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 Rigby Canal.

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

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

RIGHT NUMBER: 1-152

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 10.000 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1885

POINT OF DIVERSION: T04N R39E S15 NWNE 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	10.000 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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.

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

Water is delivered through Rigby Canal.

Stockwater use is for 1000 range cattle.

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

RIGHT NUMBER: 1-153

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 10.000 CFS

PRIORITY DATE: 06/15/1886

POINT OF
DIVERSION: T04N R39E S15 NWNE 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	10.000 CFS

PLACE OF USE:

2774 ACRES TOTAL

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.

Place of use is within the area served by Rigby Canal & Irrigating Company.

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 Rigby Canal.

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

RIGHT NUMBER: 1-154

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 20.000 CFS

PRIORITY DATE: 06/15/1887

POINT OF
DIVERSION: T04N R39E S15 NWNE 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	20.000 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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 Rigby Canal.

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

RIGHT NUMBER: 1-155

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 120.000 CFS

PRIORITY DATE: 06/15/1888

POINT OF

DIVERSION: T04N R39E S15 NWNE Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

120.000 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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 Rigby Canal.

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

RIGHT NUMBER: 1-252

NAME AND ADDRESS: RIGBY CANAL & IRRIGATING CO INC
C/O SHARON WALKER SEC
4149 E 400 N
RIGBY ID 83442

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

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 98.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION: T04N R39E S15 NWNE 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	98.000 CFS

PLACE OF USE:

2774 ACRES TOTAL

Place of use is within the area served by Rigby Canal & Irrigating 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 Rigby Canal.

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

CERTIFICATE OF SERVICE

I certify that on November 22, 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

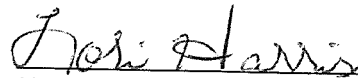
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

3. Copy to the Owner:

Rigby Canal & Irrigating Co. Inc.
C/O Sharon Walker Sec
4149 E 400 N
Rigby, ID 83442

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



Signature of person or attorney mailing the form