

APR 02 2015

DEPARTMENT OF  
WATER RESOURCES**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 OWNERS OF THE WATER RIGHTS OF THE ERRORS IN QUESTION.

**WATER RIGHT NOS.:** 77-14213, 77-14214 and 77-14215

**NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:**

USDA Forest Service (77-14213)

USDA Forest Service (77-14214)

USDA Forest Service (77-14215)

**CURRENT OWNER (IF DIFFERENT):** \_\_\_\_\_

**TODAY'S DATE:** March 30, 2015

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:**

The county listed should be corrected to IDAHO County for rights 77-14213, 77-14214 and 77-14215.

6. ☐ **Instream Flow Beginning and/or Ending Point:**

Should be: \_\_\_\_\_

7. ☐ **Purpose(s) of Use:**

Should be: \_\_\_\_\_

8. ☐ **Period of Year:**

Should be: \_\_\_\_\_

9. ☒ **Place of Use:**

The county listed should be corrected to IDAHO County for rights 77-14213 and 77-14214.

10. ☐ **Other Provisions:**

Should be: \_\_\_\_\_

**Additional explanation or supporting documentation of the error:**

IDWR has discovered errors in the county designation listed under the Point of Diversion (POD) and Place of Use (POU) element and shown in the water rights listed above. The database errors occurred in the recommendation of these rights, which then carried over into the partial decrees. The errors were only recently discovered.

IDWR is requesting correction of the county listed under the POD be corrected to IDAHO County for rights 77-14213, 77-14214 and 77-14215. In addition, IDWR is requesting correction of the county listed under the POU be corrected to IDAHO County for rights 77-14213 and 77-14214. The legal descriptions of the rights remain unchanged.

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

CONTACT PERSON: Craig Saxton

TELEPHONE NUMBER: 208-287-4916

E-MAIL ADDRESS: craig.saxton@idwr.idaho.gov

MAILING ADDRESS: IDWR, P.O. 83720, Boise, ID 83720-0098

**Proposed corrections to the partial decrees of these water rights are attached.**

### CERTIFICATE OF SERVICE

I certify that on MARCH 31, 2015, 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

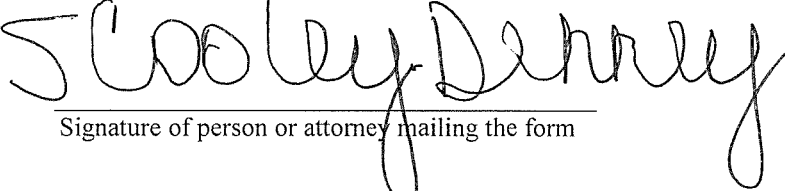
☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

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 83720  
Boise, ID 83720-0010

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

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

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

Proposed Correction to Partial Decree 77-14213

03/09/2015

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

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RIGHT NUMBER: 77-14214  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE ID 83724  
SOURCE: UNNAMED STREAM TRIBUTARY: BIG ELKHORN CREEK  
QUANTITY: 0.020 CFS  
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/22/1897

POINT OF DIVERSION: T26N R09E S31 NESE Within ~~BOISE~~ IDAHO County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------------------|----------------|---------------|-----------|
|                            | STOCKWATER     | 08/01 11/30   | 0.020 CFS |

PLACE OF USE: STOCKWATER in ~~BOISE~~ IDAHO County  
T26N R09E S31 NESE

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

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

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 - Beneficial Use

Forest Service Record ID = 1 17 17060207 3 1111

03/09/2015

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

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RIGHT NUMBER: 77-14215

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE ID 83724

SOURCE: DITCH CREEK

TRIBUTARY: FRENCH CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/03/1905

POINT OF

DIVERSION: T22N R03E S13 SWSE End of Stream Flow Within ~~BOISE~~ IDAHO County  
T22N R03E S24 NENE Begin of Stream Flow Within ~~BOISE~~ IDAHO County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| STOCKWATER     | 07/01 10/31   | 0.020 CFS |

PLACE OF USE: STOCKWATER in IDAHO County

|               |      |               |      |
|---------------|------|---------------|------|
| T22N R03E S13 | SWSE | T22N R03E S24 | NENE |
| T22N R03E S24 | NWNE |               |      |

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Forest Service Record ID = 4 12 17060209 33