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APR 06 2015

REQUEST FOR CORRECTION OF ERROR DEPT. OF WATER RESOURCES

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.: 36-10074, 36-10831, 36-10969 and 36-11214

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Dennis R. Boguslawski and Marcia L. Boguslawski (36-10074)
Peter A. Thomsen and Clifrine K. Thomsen (36-10831)
Orville L. Clark and Elva Clark (36-10969)
James R. Bryant and Joey F. Bryant (36-11214)

CURRENT OWNER (IF DIFFERENT): _____

TODAY'S DATE: April 2, 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 GOODING County for water right no. 36-10074.
The county listed should be corrected to MINIDOKA County for water right no. 36-11214.

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 JEROME County for water right no. 36-10969.
The county listed should be corrected to MINIDOKA County for water right nos. 36-10831 and 36-11214.

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) elements as 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 counties listed under the POD and POU be amended as shown above.

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 APRIL 3, 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

Marcia L. Boguslawski
Dennis Boguslawski
3397 South 1500 East
Wendell, ID 83355

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

Peter A. Thomsen
Clifrine K. Thomsen
Route 2, Box 2294
Paul, ID 83347

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

Orville L. Clark
Elva Clark
174 South 800 East
Jerome, ID 83338

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

James R. Bryant
Joey F. Bryant
Route 1, Box 1536
Heyburn, ID 83336

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

SCooley Derray
Signature of person or attorney mailing the form

03/12/2015

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

RIGHT NUMBER: 36-10074

NAME AND ADDRESS: DENNIS R BOGUSLAWSKI
3397 S 1500 E
WENDELL ID 83355

MARCIA L BOGUSLAWSKI
3397 S 1500 E
WENDELL ID 83355

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS

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

PRIORITY DATE: 06/01/1946

POINT OF DIVERSION:

T08S R14E S26 NWNWNW Within ~~TWIN FALLS~~ GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	1/01 12/31	0.050 CFS
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 2 homes.		

PLACE OF USE: STOCKWATER in GOODING County

T08S R14E S26 NWNW

DOMESTIC in GOODING County

T08S R14E S26 NWNW

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

03/12/2015

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

RIGHT NUMBER: 36-10831

NAME AND ADDRESS: PETER A THOMSEN
RT 2 BOX 2294
PAUL ID 83347

CLIFRINE K THOMSEN
RT 2 BOX 2294
PAUL ID 83347

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 01/01/1920

POINT OF DIVERSION:

T09S R22E S35 NENE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER in ~~TWIN FALLS~~ MINIDOKA County

T09S R22E S35 NENE

DOMESTIC in ~~TWIN FALLS~~ MINIDOKA County

T09S R22E S35 NENE

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

03/12/2015

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

RIGHT NUMBER: 36-10969

NAME AND ADDRESS: ORVILLE L CLARK
174 S 800 E
JEROME ID 83338

ELVA CLARK
174 S 800 E
JEROME ID 83338

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1945

POINT OF DIVERSION:

T08S R18E S28 SWNWSW Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in ~~TWIN FALLS~~ JEROME County

T08S R18E S28 NWSW

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

03/12/2015

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

RIGHT NUMBER: 36-11214

NAME AND ADDRESS: JOEY F BRYANT
RT 1 BOX 1536
HEYBURN ID 83336

JAMES R BRYANT
RT 1 BOX 1536
HEYBURN ID 83336

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1972

POINT OF DIVERSION:

T10S R23E S18 SENENE Within ~~CASSIA~~ MINIDOKA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in ~~CASSIA~~ MINIDOKA County

T10S R23E S18 NENE

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