

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.: 75-11629

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Carole B. Simmons and Robert R. Simmons (75-11629)

CURRENT OWNER (IF DIFFERENT): Eric R. Ellis, 9 Briney Creek Circle, Salmon, ID 83467

TODAY'S DATE: March 31, 2015

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

1. ☒ **Name and Address:**

Should be: Eric R. Ellis, 9 Briney Creek Circle, Salmon, ID 83467

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. ☒ **Place of Use:**

The county listed should be corrected to LEMHI County for right no. 75-11629.

10. ☐ **Other Provisions:**

Should be: _____

Additional explanation or supporting documentation of the error:

A partial decree was issued in right no. 75-11629 on November 10, 2000. A Change of Ownership was submitted to the Idaho Department of Water Resources (IDWR) on August 17, 2009. IDWR requests that the corrected partial decree reflect the updated ownership.

IDWR has discovered an error in the county designation listed under the Place of Use (POU) as shown in the water right listed above. The database error occurred in the recommendation of this right, which then carried over into the partial decree. The error was only recently discovered. The legal descriptions of the rights remain unchanged.

IDWR is requesting correction of the county listed under the POU be corrected to LEMHI County for right 75-11629. The legal description of the right remains 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

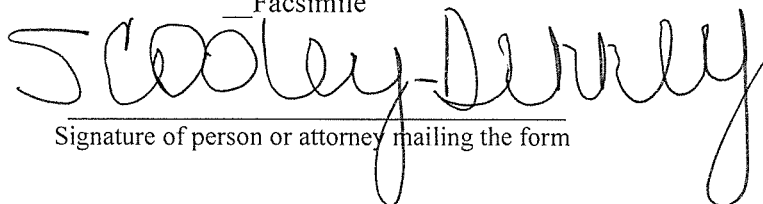
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

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

Eric R. Ellis
9 Briney Creek Circle
Salmon, ID 83467

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


Signature of person or attorney mailing the form

03/06/2015

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

RIGHT NUMBER: 75-11629

NAME AND ADDRESS: ERIC R ELLIS
9 N BRINEY CREEK CIR
SALMON ID 83467

~~CAROLE B SIMMONS~~
~~PO BOX 151~~
~~SALMON ID 83467 0151~~

~~ROBERT R SIMMONS~~
~~PO BOX 151~~
~~SALMON ID 83467 0151~~

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: 07/22/1993

POINT OF
DIVERSION: T19N R21E S14 NWNWSE Within LEMHI 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 ~~CUSTER~~ LEMHI County
T19N R21E S14 NWSE

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

Property is also known as Lot 3, Briney Creek Acres Subdivision.

Parcel No. RP001240000030