

APR 13 2015

DEPARTMENT OF
WATER RESOURCES

AMENDED 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.: 29-7423, 29-10092 and 29-12587

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Kerley AG Products Inc. (29-7423)
Allen R. Collins and Linda Collins (29-10092)
USDI BLM (29-12587)

CURRENT OWNER (IF DIFFERENT): _____

TODAY'S DATE: April 9, 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 POWER County for water right no. 29-7423.

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 BANNOCK County for water right no. 29-10092.

The county listed should be corrected to POWER County for water right nos. 29-7423 and 29-12587.

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.

To correct the above-described errors, on April 2, 2015, IDWR submitted to the Court a Request for Correction of Error regarding the partial decrees of water right nos. 29-7423, 29-10092, and 29-12587 ("Original Request"). A BLM review of the Original Request revealed discrepancies, beyond the correction of the county errors, between the original 1998 Partial Decrees and the Proposed Correction to Partial Decree 29-10092 and Proposed Correction to Partial Decree 29-12587. IDWR examined these discrepancies and discovered the changes were unintentional, and none of the discrepancies were identified by underscore or overstrike on either Proposed Correction.

To avoid any possible confusion, IDWR is submitting this Amended Request for Correction of Error regarding the partial decrees for water right nos. 29-7423, 29-10092, and 29-12587, requesting correction of the county designation errors, and only the county designation errors as noted above. The inadvertent discrepancies contained in the Proposed Corrections of the Original Request have been addressed by restoring the original information from the 1998 Partial Decrees in the Amended Proposed Correction to Partial Decree 29-10092 and Amended Proposed Correction to Partial Decree 29-12587 that are attached hereto. The Proposed Correction to Partial Decree 29-7423 included in the Original Request did not need revision and is attached hereto without change.

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

CERTIFICATE OF SERVICE

I certify that on APRIL 10, 2015, I caused to be served true and correct copies of this AMENDED 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

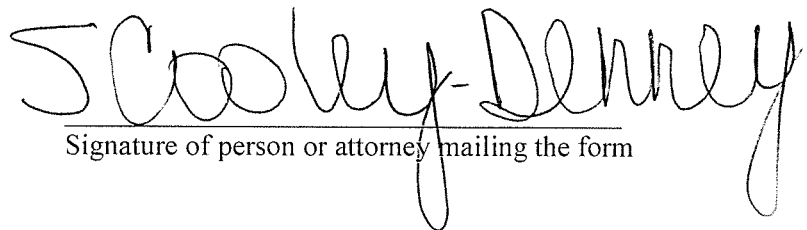
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Kerley AG Products Inc.
1667 Sod Farm Road
Pocatello, ID 83204

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

Allen R. Collins
Linda Collins
PO Box 2132
Pocatello, ID 83206

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


Signature of person or attorney mailing the form

03/05/2015

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

RECEIVED

APR 13 2015

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 29-7423

NAME AND ADDRESS: KERLEY AG PRODUCTS INC
1667 SOD FARM RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS
646.70 AFY

PRIORITY DATE: 11/20/1977

POINT OF

DIVERSION: T06S R33E S20 SWSNW Within BINGHAM POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.020 CFS 2.40 AFY
INDUSTRIAL	01/01 12/31	0.890 CFS 644.30 AFY

PLACE OF USE: INDUSTRIAL in BINGHAM POWER County

T06S R33E S20 SWNW T06S R33E S20 SENW

DOMESTIC in BINGHAM POWER County

T06S R33E S20 SENW

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 - License

04/08/2015

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

RIGHT NUMBER: 29-10092
NAME AND ADDRESS: ALLEN R COLLINS
PO BOX 2132
POCATELLO ID 83206

LINDA COLLINS
PO BOX 2132
POCATELLO ID 83206

RECEIVED

APR 13 2015

DEPARTMENT OF
WATER RESOURCES

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: 06/01/1962

POINT OF DIVERSION:
T07S R34E S1 NESESW Within BANNOCK 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 ~~BONNEVILLE~~ BANNOCK County
T07S R34E S01 SESW

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

04/08/2015

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

RECEIVED

APR 13 2015

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 29-12587

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 07/31/1965

POINT OF DIVERSION:

T09S R32E S20 SESESW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE	1/01 12/31	0.01 CFS
STOCKWATER	1/01 12/31	0.02 CFS

PLACE OF USE: STOCKWATER in CASSIA POWER County

T09S R32E S20 SESW

WILDLIFE in CASSIA POWER County

T09S R32E S20 SESW

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