

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.: 22-10006 and 22-11429

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Emily and Linus Young (22-10006)
Zelda Mortensen (22-11429)

CURRENT OWNER (IF DIFFERENT): _____

TODAY'S DATE: April 14, 2015

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

1. ☐ **Name and Address:**

2. ☐ **Source:**

Should be: _____

3. ☐ **Quantity:**

Should be: _____

4. ☐ **Priority Date:**

Should be: _____

5. ☒ **Point of Diversion:**

The county listed for water right 22-10006, Clark County, should be corrected to Madison County.

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 for the stockwater use as well as the domestic use of water right 22-11429, Clearwater County, should be corrected to Madison County.

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) element of water right 22-10006 and the Place of Use (POU) element of the water right 22-11429. 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 element of right 22-10006 to reflect the county designated in the POD description shown on the attached proposed correction (Madison County). IDWR is also requesting correction of the county listed under the POU element of right 22-11429 to reflect the county designated in the POU description shown on the attached proposed correction (Madison County).

The legal descriptions of both 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.

03/05/2015

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

RIGHT NUMBER: 22-10006

NAME AND ADDRESS: LINUS YOUNG
450 N 2ND W
RIGBY ID 83442

EMILY YOUNG
450 N 2ND W
RIGBY ID 83442

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/01/1941

POINT OF

DIVERSION: T05N R39E S15 SENESE Within ~~CLARK~~ MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in MADISON County

T05N R39E S15 NESE

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

Parcel No. 05N39E157201

03/05/2015

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

RIGHT NUMBER: 22-11429

NAME AND ADDRESS: ZELDA MORTENSEN
273 E 5000 N
REXBURG ID 83440

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: 03/26/1941

POINT OF DIVERSION: T07N R40E S32 NENWSE Within MADISON 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	0.050 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER in ~~CLEARWATER~~ MADISON County
T07N R40E S32 NWSE
DOMESTIC in ~~CLEARWATER~~ MADISON County
T07N R40E S32 NWSE

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
Parcel No. RP07N40E322413A
Stockwater use is for 125 beef cattle, 3 horses.

CERTIFICATE OF SERVICE

I certify that on April 14, 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

3. Copy to the Owners:

Zelda Mortensen
273 E. 5000 N.
Rexburg, ID 83440

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

Linus Young
Emily Young
450 N. 2nd W.
Rigby, ID 83442

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



Signature of person or attorney mailing the form