

AMENDED REQUEST FOR CORRECTION OF ERROR

APR 17 2015

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.

Clerk

WATER RIGHT NOS.: 75-2200, 75-2235, 75-2263 and 75-14402

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

USDI BLM (75-2200)
USDI BLM (75-2235)
USDI BLM (75-2263)
USDI BLM (75-14402)

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:**

Should be: _____

2. ☒ **Source:**

The tributary listed for water right 75-2200 should be corrected from Unnamed Stream to Dry Gulch Creek.

The tributary listed for water right 75-2263 should be corrected from South Gulch to South Gulch Creek.

3. ☐ **Quantity:**

Should be: _____

4. ☐ **Priority Date:**

Should be: _____

5. ☒ **Point of Diversion:**

The county listed should be corrected to LEMHI County for rights 75-2200, 75-2235, 75-2263 and 75-14402.

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 nos. 75-2200, 75-2235 and 75-2263.

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 in the Place of Use (POU) 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. 75-2200, 75-2235, 75-2263 and 75-14402 ("Original Request"). A BLM review of the Original Request revealed a discrepancy, beyond the correction of the county errors, between the 2000 Partial Decree for water right no. 75-2263 and the Proposed Correction to Partial Decree 75-2263. Specifically, the tributary described on the 2000 Partial Decree is "South Gulch," while the Proposed Correction described the tributary as "South Gulch Creek." This discrepancy should have been identified by underscore in the Proposed Correction.

BLM's review also revealed an inadvertent discrepancy between the 2008 Partial Decree for water right no. 75-14402 and Proposed Correction to Partial Decree 75-14402 of the Original Request. Specifically, the 2008 Partial Decree lists the priority date as 4/17/1926, whereas the Proposed Correction lists the priority date as 6/28/1934. This inadvertent discrepancy was not identified by underscore or overstrike in the Proposed Correction. The priority date should be 4/17/1926 as listed on the 2008 Partial Decree.

In addition to the discrepancies above, the tributary described for water right no. 75-2200 as "Unnamed Stream" is in error. The correct tributary designation should be listed as "Dry Gulch Creek."

To avoid any possible confusion, IDWR is submitting this Amended Request for Correction of Error regarding the partial decrees for water right nos. 75-2200, 75-2235, 75-2263, and 75-14402, requesting:

- 1) correction of the county designation errors,
- 2) correction of the tributary element of water right no. 75-2263, and
- 3) correction of the tributary element of water right no. 75-2200.

Amended Proposed Corrections for water right nos. 75-2200, 75-2263, and 75-14402 are hereto. The Proposed Correction to Partial Decree 75-2235 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 14, 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

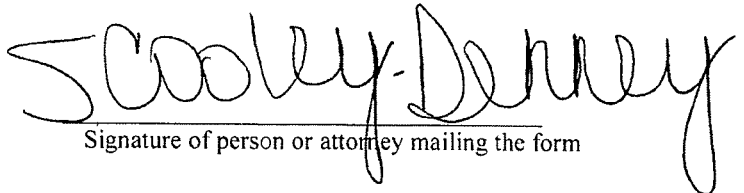
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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


Signature of person or attorney mailing the form

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Proposed Correction to Partial Decree 75-2235

04/08/2015

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

RIGHT NUMBER: 75-2263

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: MC GUIRE SPRING

TRIBUTARY: SOUTH GULCH CREEK

QUANTITY: 0.010 CFS

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

PRIORITY DATE: 02/21/1968

POINT OF
DIVERSION: T17N R20E S11 NESESE Within ~~CUSTER~~ LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE	1/01 12/31	0.010 CFS
STOCKWATER	5/16 11/30	0.010 CFS

PLACE OF USE: STOCKWATER in ~~CUSTER~~ LEMHI County

T17N R20E S11 SESE

WILDLIFE in ~~CUSTER~~ LEMHI County

T17N R20E S11 SESE

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 - License

Stockwater use is for 507 range cattle and 8 horses.

This right is former Right No. D 2184

BLM Record ID = 7504688077

04/08/2015

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

RIGHT NUMBER: 75-14402

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: HOT SPRING CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 04/17/1926

This water right is based on federal law with an April 17, 1926, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 107.

POINT OF

DIVERSION: T20N R22E S2 SWNWSW Lot 6 Within ~~LEWIS~~ LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER in LEMHI County

T20N R22E S02 Lot 6 NWSW

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

BLM Record ID = 7504688145