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MAY 26 2015

DEPARTMENT OF
WATER RESOURCES

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED ERRORS IN THE SRBA PARTIAL DECREE OF THE WATER RIGHT 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 OWNER OF THE WATER RIGHT OF THE ERRORS IN QUESTION.

WATER RIGHT NO.: 55-2414

NAME OF OWNER LISTED ON THE PARTIAL DECREE:

United States of America Acting Through USDA Bureau of Land Management

CURRENT OWNER (IF DIFFERENT): _____

TODAY'S DATE: May 20, 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: Total Quantity should be 1.50 AFY
STOCKWATER STORAGE Quantity should be 1.50 AFY
STOCKWATER FROM STORAGE Quantity should be 1.50 AFY

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:**

Should be: _____

10. ☐ **Other Provisions:**

Should be: _____

Additional explanation or supporting documentation of the error:

IDWR has discovered errors in the quantity description for water right no. 55-2414. The error appears to be a simple clerical error originating in the Special Master Report for water right no. 55-2414, issued on October 5, 2005.

On October 31, 2002, IDWR filed a late claims director's report for water right no. 55-2414. The director's report listed the quantity for STOCKWATER STORAGE as 1.50 acre-feet per year ("AFY") and STOCKWATER FROM STORAGE as 1.50 AFY. The maximum quantity authorized by water right no. 55-2414 was listed as 1.50 AFY.

On October 5, 2005, Special Master Terrence A. Dolan issued an *Order Granting United States Motion for Summary Judgment and Special Master Report* ("Order"). In the Order, the special master recommended issuance of a partial decree for water right no. 55-2414 as described in the Special Master Report. While IDWR's recommendation identified all quantities in AFY, the Special Master Report incorrectly listed the quantity for STOCKWATER STORAGE as 1.50 cubic feet per second ("CFS") and STOCKWATER FROM STORAGE as 1.50 CFS with the maximum quantity authorized by water right no. 55-2414 listed as 1.50 CFS and 1.50 AFY.

On December 6, 2005, the partial decree for water right no. 55-2414 was issued with elements of the water right as described in the Special Master Report.

IDWR requests correction of the quantity element by correcting the quantity for STOCKWATER STORAGE and STOCKWATER FROM STORAGE to 1.50 AFY, and removing the reference to 1.50 CFS from the maximum quantity authorized under water right no. 55-2414.

For more information about the error the Court and/or water right holder should contact the person identified below.

CONTACT PERSON: Craig L. 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 correction to the partial decree of water right no. 55-2414 is attached.

CERTIFICATE OF SERVICE

I certify that on MAY 21, 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

S Cooley-Derrey
Signature of person or attorney mailing the form

05/18/2015

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

RIGHT NUMBER: 55-2414

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: UNNAMED STREAM

TRIBUTARY: NORTH FORK OWYHEE RIVER

QUANTITY: ~~1.50 CFS~~

1.50 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/06/1966

POINT OF

DIVERSION: T09S R05W S35 SENE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER STORAGE	1/01 12/31	1.50 ~~CFS~~ <u>AFY</u>
STOCKWATER FROM STORAGE	1/01 12/31	1.50 ~~CFS~~ <u>AFY</u>

PLACE OF USE: STOCKWATER STORAGE in OWYHEE County

T09S R05W S35 SENE

STOCKWATER FROM STORAGE in OWYHEE County

T09S R05W S35 SENE

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

BLM IDENT 5501588201