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JUN 05 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 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 OWNERS OF THE WATER RIGHT OF THE ERRORS IN QUESTION.

WATER RIGHT NO.: 63-22875

NAMES OF OWNERS LISTED ON THE PARTIAL DECREE:

Cleo F. Saunders and Lorin C. Saunders

CURRENT OWNER (IF DIFFERENT):

TODAY'S DATE: June 1, 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:

Should be: The county listed should be corrected to ADA County.
The public land survey description should be corrected to T04N, R01E, S19, NESW.

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: The public land survey description should be corrected to T04N, R01E, S19, NESW.

10. ☐ **Other Provisions:**

Should be: _____

Additional explanation or supporting documentation of the error:

IDWR has discovered an error in the county designation listed under the Point of Diversion (POD) element 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.

To correct the error in the county description, IDWR filed a Request for Correction of Error (Request) on April 2, 2015. The Request addressed errors in the county descriptions of six Basin 63 partial decrees, including the partial decree of water right 63-22875.

On April 8, 2015, BLM notified IDWR that, as a result of their review, they had found an additional error in the legal description of the Point of Diversion (POD) and the Place of Use (POU) for water right no. 63-22875. Water right no. 63-22875 describes both the POD and POU as being in Government Lot 5 and the NESW of Section 19, T04N, R01E. BLM's review determined that both the POD and POU are located in the NESW of Section 19 but not within Government Lot 5. IDWR reviewed BLM's documentation and agree with their analysis.

IDWR is submitting this Amended Request for Correction of Error regarding the partial decree for water right no 63-22875 to request correction of the POD county designation error, and correction of the POD and POU legal description error.

IDWR is also requesting an update to the recommended Explanatory Material to reflect the current Ada County parcel record and the Lot, Block and Subdivision. Explanatory Material does not appear on partial decrees of water rights, but is reflected in IDWR records, and the change to the explanatory condition is shown on the attached proposed correction.

No further amendment is needed to the partial decrees of the remaining five Basin 63 rights listed on the original Request.

For more information about the errors 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

An amended proposed correction to partial decree 63-22875 is attached.

CERTIFICATE OF SERVICE

I certify that on JUNE 2, 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

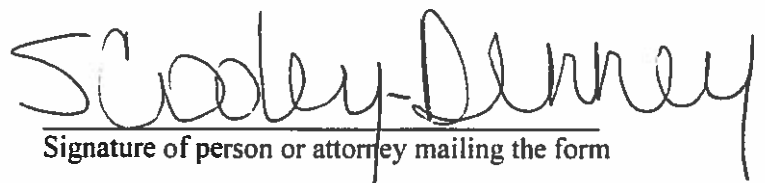
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

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

Cleo F. Saunders
Lorin C. Saunders
PO Box 835
7190 N Meridian Road
Meridian, ID 83642

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


Signature of person or attorney mailing the form

05/22/2015

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

RIGHT NUMBER: 63-22875

NAME AND ADDRESS: LORIN C SAUNDERS
PO BOX 835
7190 N MERIDIAN RD
MERIDIAN ID 83642

CLEO F SAUNDERS
PO BOX 835
7190 N MERIDIAN RD
MERIDIAN ID 83642

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: 12/01/1971

POINT OF DIVERSION: T04N R01E S19 NESW ~~Lot~~ 5 Within ~~FREMONT~~ ADA 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 ADA County
T04N R01E S19 ~~Lot~~ 5 NESW

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

Parcel No. ~~S0519314810~~ R8212120010

Property is also known as Lot 10, Block 01, Sugarberry Woods No. 02.