

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED AN ERROR IN THE SRBA PARTIAL DECREE OF THE WATER RIGHT LISTED BELOW. IDWR REQUESTS THE COURT TO DETERMINE IF IT CAN CORRECT THE ERROR THROUGH ITS NORMAL NOTICE AND HEARING PROCESS, AND IF SO, TO CORRECT THE ERROR ACCORDINGLY. BY COPY OF THIS FORM IDWR IS ALSO NOTIFYING THE OWNER OF THE WATER RIGHT OF THE ERROR IN QUESTION.

WATER RIGHT NO.: 35-2857B

NAME OF OWNER LISTED ON THE PARTIAL DECREE: Koch Agriculture

CURRENT OWNER (IF DIFFERENT): General Mills Operations Inc.

TODAY'S DATE: June 11, 2015

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

1. ☒ **Name and Address**

Should be: General Mills Operations Inc.
P.O. Box 967
Blackfoot, ID 83221

Per April 2003 Notice of Change in Water Right Ownership on record with IDWR

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point of Diversion**

Should be: T02S R35E S32 SWNW Within Bingham County

6. ☐ **Instream Flow Beginning and/or Ending Point**

Should be: _____

7. ☒ **Purpose(s) of Use**

Should contain transfer condition: INDUSTRIAL USE IS TO TEMPER GRAIN FOR MILLING PURPOSES

8. ☐ **Period of Year**

Request for Correction of Error

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10. ☐ **Other Provisions**

Should be: _____

Additional explanation or supporting documentation of the error:

Water right 35-2857B was the subject of transfer no. 5226 which was approved in April 1998. In September 1998, the right was reported in the SRBA. Although the recommendation of right 35-2857B reflected some of the changes made through the transfer, it has been discovered the Point of Diversion (POD) was apparently not updated to describe the POD as transferred. In addition, missing from the recommendation was a transfer condition which should have appeared in the Purpose and Period of use element of the water right. The recommendation of the water right was unobjected to, and the right was partially decreed in 1999 as recommended.

IDWR requests correction of the POD of water right 35-2857B to reflect the transferred change, approved prior to reporting, and the addition of the missing transfer condition. Although not considered an error, IDWR also requests updating the ownership information per the 2003 Notice of Change in Water Right Ownership.

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

A proposed correction to the partial decree of the water right is attached.

06/10/2015

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

RIGHT NUMBER: 35-2857B

NAME AND ADDRESS: GENERAL MILLS OPERATIONS INC
PO BOX 967
BLACKFOOT ID 83221

~~KOCH AGRICULTURE~~
~~PO BOX 967~~
~~BLACKFOOT ID 83221~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS

PRIORITY DATE: 01/16/1967

POINT OF DIVERSION:

~~T02S R34E S7 SWSNW Within BINGHAM County~~

T02S R35E S32 SWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
INDUSTRIAL	1/01 12/31	0.230 CFS
		34.00 AFY

INDUSTRIAL USE IS TO TEMPER GRAIN FOR MILLING PURPOSES.

PLACE OF USE: INDUSTRIAL in BINGHAM County

T02S R35E S32 SWNW

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

CERTIFICATE OF SERVICE

I certify that on June 12, 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

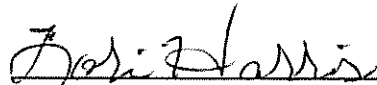
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

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

3. Copy to the Owner:

General Mills Operations Inc.
P.O. Box 967
Blackfoot, ID 83221

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



Signature of person or attorney mailing the form