

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.: 25-7275

NAME OF OWNER LISTED ON THE PARTIAL DECREE: Clyde M. Walseth
Mary Helen Walseth

CURRENT OWNER (IF DIFFERENT): _____

TODAY'S DATE: June 30, 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: 0.030 CFS 6.700 AFY

License condition should be added: This right when combined with all other rights shall provide no more that 0.03 cfs per acre nor more that 3.0 afa per acre at the field headgate for irrigation of the place of use.

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**

License condition should be added: Domestic use is for 4 homes.

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:

An application for permit of water right 25-7275 was submitted by Clyde & Mary Helen Walseth in 1982. The applicant sought to appropriate a total of 0.30 cfs of groundwater for: irrigation (.18 cfs), livestock (.02 cfs) and domestic use (.10 cfs). The application was approved later that year.

The right was claimed in the SRBA in 1988 with reduced diversion rates for each of the claimed uses: .03 cfs for irrigation, .02 cfs for stock water and .03 cfs for domestic; however, the total claimed diversion rate still listed the permitted amount of 0.3 cfs. The right was licensed in 1989 with the diversion rates listed for each use as claimed, but the total diversion rate of 0.30 cfs was reduced to .030 cfs, which reflected the capacity of the diversion works as found during the licensing exam. IDWR recommended the right in the SRBA in 2005, but without updating the recommendation to reflect the license. The right was unobjected to and partially decreed as recommended in September 2005.

IDWR requests correction of the Quantity element of the partial decree to reflect the total diversion rate of 0.03 cfs and the addition of the total volume of 6.7 afa as licensed. IDWR also requests the addition of the missing license condition to the Quantity element. The missing license condition from the Purpose and Period of Use element of the partial decree should also be added to the partial decree.

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.

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

RIGHT NUMBER: 25-7275

NAME AND ADDRESS:

CLYDE M WALSETH
54 N 3700 E
RIGBY ID 83442

MARY HELEN WALSETH
54 N 3700 E
RIGBY ID 83442

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.030 CFS
6.700 AFY

~~0.300 CFS~~
~~0.000 AFY~~

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 02/08/1982

POINT OF DIVERSION:

T04N R38E S35 SWNW
Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 11/01	0.030 CFS 3.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 3.50 AFY
DOMESTIC	01/01 12/31	0.030 CFS 0.20 AFY

Domestic use is for 4 homes.

PLACE OF USE:

IRRIGATION within JEFFERSON County
T04N R38E S35 SWNW 1.0
STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION
1 ACRES TOTAL

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 30, 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
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

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

3. Copy to the Owner:

Clyde M Walseth
Mary Helen Walseth
54 N 3700 E
Rigby, ID 83442

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

J. J. Harris

Signature of person or attorney mailing the form