

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 NOS.: 29-13421

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Stoddard Farms of Grace

CURRENT OWNER (IF DIFFERENT):

TODAY'S DATE: November 10, 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:**

The diversion rate and diversion volume should be corrected from 3.34 cfs and 921 AFY to 0.23 cfs and 80.5 AFY.

The following Quantity remark should be removed from the water right:

USE OF THIS RIGHT WITH RIGHT NO. 29-7434 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 921 AF.

4. ☐ **Priority Date:**

Should be: _____

5. ☒ **Point of Diversion:**

Should be: T09S, R39E, S14, NENW

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

Should be: _____

7. ☒ **Purpose(s) of Use:**

Should be:

The Quantity listed under the Purpose and Period of Use element needs to be corrected from 921.00 AFY to 80.5 AFY.

8. ☐ **Period of Year:**

Should be: _____

9. ☒ **Place of Use:**

Should be:

T09S R39E S11 SWNW	25.0
T09S R39E S11 SENW	33.0
T09S R39E S11 NESW	28.0
T09S R39E S11 NWSW	22.0
T09S R39E S11 SWSW	25.0
T09S R39E S11 SESW	30.0
T09S R39E S11 SWSE	27.0
T09S R39E S11 SESE	29.0
T09S R39E S14 NENE	29.0
T09S R39E S14 NWNE	27.0
T09S R39E S14 NENW	30.0
T09S R39E S14 NWNW	25.0

10. ☒ **Other Provisions:**

The following General conditions should be added to the water right:

This right is based upon an enlargement of Right No. 29-7434 pursuant to Section 42-1426, Idaho Code.

Additional explanation or supporting documentation of the error:

On November 18, 2002, Stoddard Farms of Grace filed claim 29-13421 as an enlargement of water right 29-7434.

On July 11, 2003, the Department reported water rights 29-7434 and 29-13421 in the Director's Report for Basin 29 for Irrigation and Other Water Rights. The right was unobjected to and moved to Partial Decree in 2004.

IDWR is requesting correction of the Quantity, Period of Use, and Place of Use (POU) elements of water right 29-7434. Because right 29-13421 is an enlargement of 29-7434, the requested corrections to 29-7434 result in the need to modify the Quantity and Place of Use elements and some remarks.

In addition, IDWR has found an inconsistency in the point of diversion (POD) description between right 29-7434 and enlargement right 29-13421. As the POD location for both 29-7434 and 29-13421 are the same, the partial decree for 29-13421 contains an error in the QQ description.

IDWR is requesting correction of the identified Quantity, POD, and POU elements of water right 29-13421. In addition, IDWR requests to add a general condition under the Other Provisions section to identify 29-13421 as an enlargement of 29-7434.

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

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

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

RIGHT NUMBER: 29-13421

NAME AND ADDRESS:

STODDARD FARMS OF GRACE
2004 TWO MILE RD
GRACE ID 83241

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.23 CFS
80.500 AFY

~~3.340 CFS~~
~~921.000 AFY~~

~~USE OF THIS RIGHT WITH RIGHT NO. 29-7434 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 921 AF.~~

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.34 CFS. COMBINED RIGHT NOS.:29-7434 &
29-13421.

PRIORITY DATE:

04/01/1987

This water right is subordinate to all water rights with a priority date
earlier than April 12, 1994, that are not decreed as enlargements pursuant
to Section 42-1426, Idaho Code. As between water rights decreed as
enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority
right is the superior right.

POINT OF DIVERSION:

T09S R39E S14 ~~NENE~~ NENW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.230 CFS

80.50 AFY

~~921.00 AFY~~

PLACE OF USE:

IRRIGATION within CARIBOU County

~~T09S R39E S11 NENW 28.0~~

~~T09S R39E S11 NWNW 28.0~~

T09S R39E S11 SWNW 25.0

~~T09S R39E S11 SWNW 28.0~~

T09S R39E S11 SENW 33.0

~~T09S R39E S11 SENW 24.0~~

T09S R39E S11 NESW 28.0

T09S R39E S11 NWSW 22.0

T09S R39E S11 SWSW 25.0

~~T09S R39E S11 SWSW 27.0~~

T09S R39E S11 SESW 30.0

~~T09S R39E S11 SESW 27.0~~

T09S R39E S11 SWSE 27.0

~~T09S R39E S11 SWSE 28.0~~

T09S R39E S11 SESE 29.0

~~T09S R39E S11 SESE 28.0~~

T09S R39E S14 NENE 29.0

~~T09S R39E S14 NENE 28.0~~

T09S R39E S14 NWNW 27.0

~~T09S R39E S14 NWNW 28.0~~

T09S R39E S14 NENW 30.0

~~T09S R39E S14 NENW 28.0~~

T09S R39E S14 NWNW 25.0

~~T09S R39E S14 NWNW 28.0~~

330 ACRES TOTAL

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 330 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.:29-7434 & 29-13421.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 29-7434 pursuant to
Section 42-1426, Idaho Code.

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

This right is for an enlargement of 23 acres within the place of use
described for this right.

CERTIFICATE OF SERVICE

I certify that on November 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

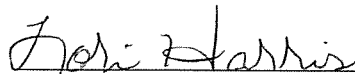
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Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
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Stoddard Farms of Grace
2004 Two Mile Rd
Grace, ID 83241

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



Signature of person or attorney mailing the form