

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 NOS.: 36-2356A

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Blue Lakes Trout Farm Inc

CURRENT OWNER (IF DIFFERENT):

American Falls Aberdeen Ground Water District,
Bingham Ground Water District,
Magic Valley Ground Water District,
North Snake Ground Water District

TODAY'S DATE: October 25, 2016

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

1. ☒ **Name and Address:**

Although not an error, the Name and Address should be updated to reflect the ownership that is currently on record at IDWR:

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

BINGHAM GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

MAGIC VALLEY GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

NORTH SNAKE GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

2. ☐ **Source:**

Should be: _____

3. ☐ **Quantity:**

Should be: _____

4. ☐ **Priority Date:**

Should be: _____

5. ☒ **Point of Diversion:**

Should be: T09S, R17E, S28, Lot 14 (NESWSW)

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:

Approval of Transfer 5133 on July 23, 1998 resulted in splitting right 36-2356 into A & B portions.

On April 5, 2000, IDWR notified the Snake River Basin Adjudication (SRBA) court of the split through a Notice of Completed Administrative Proceedings (NCAP) which included amended Director's Reports for 36-2356, 36-2356A and 36-2356B. The amended Director's Report for 36-2356A erroneously listed the point of diversion in section 29 rather than section 28. This appears to have been a simple typographical error.

IDWR is requesting correction of the point of diversion element in partial decree 36-2356A. In addition, IDWR requests updating the name and address element of the partial decree to reflect the 2012 ownership change that is currently on record at IDWR. The partial decree of water right 36-2356B does not need correction.

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 corrections to the partial decree of water right are attached.

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

RIGHT NUMBER: 36-2356A

NAME AND ADDRESS: AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT ~~BLUE LAKES TROUT FARM INC~~
C/O RANDALL C BUDGE ~~PO BOX 1237~~
PO BOX 1391 ~~TWIN FALLS ID 83303-1237~~
POCATELLO ID 83204-1391

BINGHAM GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

MAGIC VALLEY GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

NORTH SNAKE GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

SOURCE: ALPHEUS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 99.830 CFS
72,147.14 AFY

PRIORITY DATE: 05/29/1958

POINT OF
DIVERSION: T09S R17E S28 S29 NESWSW Lot 14 Within JEROME County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
FISH PROPAGATION	1/01 12/31	99.830 CFS 72,147.14 AFY

PLACE OF USE: FISH PROPAGATION in JEROME County

T09S R17E S29 Lot 14 SWNE T09S R17E S29 Lot 19 NESE
T09S R17E S29 Lot 18 NWSE

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07210 & 36-07427.

COMMERCIAL/FISH FACILITY; FISH/49 PONDS, HATCHERY. FACILITY VOLUME 10.66 A.F.

CERTIFICATE OF SERVICE

I certify that on October 25, 2016, 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

American Falls Aberdeen Ground Water District
C/O Randall C Budge
P.O. Box 1391
Pocatello, ID 83204-1391

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

Bingham Ground Water District
C/O Randall C Budge
P.O. Box 1391
Pocatello, ID 83204-1391

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

Magic Valley Ground Water District
C/O Randall C Budge
P.O. Box 1391
Pocatello, ID 83204-1391

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

North Snake Ground Water District
C/O Randall C Budge
P.O. Box 1391
Pocatello, ID 83204-1391

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



Signature of person or attorney mailing the form