

FEB 25 2019

DEPARTMENT OF
WATER RESOURCES

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 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 OWNERS OF THE WATER RIGHT OF THE ERROR IN QUESTION.

WATER RIGHT NOS.: 67-2097A

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

DOUBLE C & J LAND CO INC

CURRENT OWNER (IF DIFFERENT):

TODAY'S DATE: February 22, 2019

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: _____

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

Should be: _____

7. ☒ **Purpose(s) of Use:**

Quantity for Diversion to Storage should be 14.5 CFS rather than 14.5 AFY

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:

IDWR has discovered an error in the quantity description within the purpose and period of use element of water right 67-2097A.

On December 22, 2006, IDWR submitted the Director's Report for 67-2097A to the SRBA court. The Director's Report authorized a diversion rate of 14.5 cubic feet per second (CFS) for Diversion to Storage.

On October 20, 2008, the SRBA court issued Partial Decree 67-2097A. The partial decree authorized a diversion volume of 14.5 acre-feet per year (AFY) for Diversion to Storage.

It appears that when the Director's Report for 67-2097A was transcribed to the Partial Decree 67-2097A, the unit for the quantity authorized for Diversion to Storage was erroneously changed from CFS to AFY.

IDWR is requesting correction of the quantity description in the purpose of use element for Diversion to Storage from 14.5 AFY to 14.5 CFS as shown on the attached proposed correction to partial decree.

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 correction to the partial decree of water right is attached.

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

RIGHT NUMBER: 67-2097A

NAME AND ADDRESS: DOUBLE C & J LAND CO INC
990 JENKINS CREEK RD
WEISER ID 83672

SOURCE: JENKINS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 6.540 CFS
345.00 AFY

Right Nos. 67-2044, 67-2097A, 67-2097B, 67-4520, 67-14246, 67-14247 and 67-14251 are limited to a total combined diversion rate of 9.06 cfs for irrigation purposes.

PRIORITY DATE: 06/29/1914

POINT OF

DIVERSION: T11N R05W S6 SENW Within WASHINGTON County
T11N R05W S6 SENW Within WASHINGTON County
T11N R05W S18 NWNW Lot 2 Within WASHINGTON County
T12N R06W S24 NENE Within WASHINGTON County

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	6.540 CFS
DIVERSION TO STORAGE	01/01 12/31	14.50 ~~AFY~~ CFS
IRRIGATION STORAGE	01/01 12/31	345.00 AFY
IRRIGATION FROM STORAGE	03/01 11/15	345.00 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R05W S06	SENW	1.50	T11N R05W S06	NESW	10.00
T11N R05W S06 Lot 7	SWSW	6.00	T11N R05W S06	SESW	37.00
T11N R05W S07	NENW	35.00	T11N R05W S07 Lot 1	NWNW	6.00
T11N R05W S07 Lot 2	SWNW	1.50	T11N R05W S07	SENW	35.00
T11N R05W S07	NESW	37.00	T11N R05W S07 Lot 3	NWSW	10.00
T11N R05W S07 Lot 4	SWSW	19.00	T11N R05W S07	SESW	33.00
T11N R05W S07	NWSE	10.00	T11N R05W S07	SWSE	11.00
T11N R05W S18	NENW	15.00	T11N R05W S18 Lot 1	NWNW	30.00
T11N R05W S18 Lot 2	SWNW	40.00	T11N R05W S18	SENW	15.00
T11N R05W S18	NESW	1.00	T11N R05W S18 Lot 3	NWSW	40.00
T11N R05W S18 Lot 4	SWSW	40.00	T11N R05W S18	SESW	20.00

IRRIGATION FROM STORAGE same as IRRIGATION
453 ACRES TOTAL

Right Nos. 67-2044, 67-2097A, 67-2097B, 67-4520, 67-14246, 67-14247 and 67-14251 are limited to the irrigation of a combined total of 453 acres in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on FEBRUARY 22, 2019, 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

Double C & J Land Co Inc.
990 Jenkins Creek Rd
Weiser ID 83672

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

S Cooley-Denney
Signature of person or attorney mailing the form