

REQUEST FOR CORRECTION OF ERROR

THE IDAHO DEPARTMENT OF WATER RESOURCES (IDWR) HAS IDENTIFIED ERRORS IN THE CSRBA 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.: 95-17635

NAMES OF OWNERS LISTED ON THE PARTIAL DECREES:

Erin M. Kingsbury and Colby G. Kingsbury

CURRENT OWNER (IF DIFFERENT):

TODAY'S DATE: January 20, 2021

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:**

Should be: _____

8. ☐ **Period of Year:**

Should be: _____

9. ☐ **Place of Use:**

Should be: _____

10. ☒ **Other Provisions:**

Should be: Recommended as an active water right not disallowed.

Additional explanation or supporting documentation of the error:

On February 25, 2019, IDWR submitted the Director's Report for 95-17635 to the CSRBA court. IDWR recommended 95-17635 as an active water right. No objections were filed, however, 95-17635 was mistakenly included on the list of uncontested water rights to be decreed disallowed.

IDWR is requesting that 95-17635 be removed from the list of disallowed water rights and be decreed as reported in the Director's Report on February 26, 2019.

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.

CERTIFICATE OF SERVICE

I certify that on January 20, 2021, 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
Coeur d'Alene-Spokane 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:

Colby G. & Erin M. Kingsbury
17116 N. Reservoir Rd
Rathdrum ID 83858

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

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

State of Idaho
Idaho Water Resource Board
322 E Front St
PO Box 83720
Boise ID 83720-0098

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



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 95-17635

NAME AND ADDRESS: COLBY G KINGSBURY
17116 N RESERVOIR ROAD
RATHDRUM ID 83858

ERIN M KINGSBURY
17116 N RESERVOIR ROAD
RATHDRUM ID 83858

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1978

POINT OF DIVERSION: T52N R05W S25 SWNE Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.			

PLACE OF USE:

DOMESTIC in KOOTENAI County
T52N R05W S25 SENE

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Place of Use Parcel No. 52N05W252140; Point of Diversion Parcel No. 52N05W251720.