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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Protestant
Portneuf Watershed Users Association, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 76779 IN THE NAME OF
THE CITY OF POCA TELLO

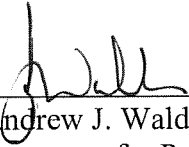
NOTICE OF ERRATA

COMES NOW Protestant Portneuf Watershed User's Association, by and through undersigned counsel of record, and hereby submits this Notice of Errata correcting a portion of the previously served expert report of Christian R. Petrich, Ph.D., P.E., P.G., entitled Review of Proposed Transfer 76779, dated June 10, 2011. Attached hereto as Exhibit A is the revised and corrected Paragraph No. 54 of the above-referenced report.

ORIGINAL

DATED this 22nd day of June, 2011.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 

Andrew J. Waldera – Of the Firm
Attorneys for Portneuf Watershed Users
Association, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of June, 2011, I caused a true and correct copy of the foregoing **NOTICE OF ERRATA** to be served by the method indicated below, and addressed to the following:

James Cefalo, Hearing Officer
IDAHO DEPARTMENT OF WATER RESOURCES
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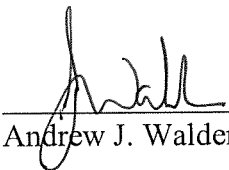
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Mark Bennett, Secretary
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Andrew J. Waldera

EXHIBIT A

TO THE NOTICE OF ERRATA

In The Matter Of Application For Transfer No. 76779
In The Name Of The City Of Pocatello

Errata

Review of Proposed Transfer 76779

Christian R. Petrich, Ph.D., P.E., P.G.

June 10, 2011

Paragraph 54 of the above-listed report should read as follows:

54. Idaho statute provides for enlargement of a storage right (i.e., irrigation of additional acres) provided that "no other water rights are injured thereby" (Idaho Code § 42-222). Only approximately 280 acre-feet of the proposed 3,100 acre-feet proposed storage transfer are currently consumptively used (as canal evaporation that will be eliminated through system improvements). The balance of the proposed transfer (2,820 acre feet), made available as the result of canal-system improvements, is currently channel seepage and/or operational loss that is tributary to Marsh Creek, the Portneuf River, and/or underlying aquifers. The applicant has provided no evidence that full consumptive use of this 2,820 acre-feet in the Pocatello area will not injure other water rights downstream of the PMVCC place of use (e.g., lower Portneuf Valley, Snake River, Eastern Snake Plain Aquifer⁴, etc.).

A handwritten signature in black ink, appearing to read "Christian R. Petrich", followed by the date "6/21/2011".

Christian R. Petrich, Ph.D., P.E., P.G.

⁴ A moratorium on the processing and approval of applications for permits proposing to appropriate groundwater or surface water for consumptive uses has been in place since the early 1990s (IDWR Amended Moratorium Order, dated April 30, 1993).