



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 4, 2009

Clerk of the Court
SRBA District Court
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Clerical Error for IDWR Subcase No. 21-7000

To the Clerk of the SRBA District Court:

Processing the decree in the above referenced subcase, the Department discovered the decree issued contains a clerical error. I apologize the inconsistency described below was not discovered with the previous correction.

The recommendation prepared by the Department and decreed uncontested unnecessarily restricted the water right to one home rather than noting the use is for the state park at Henry's Lake. A corrected version of the recommendation is attached for the Courts convenience with overstrike and underscore format other than name and address.

I am also sending copies of this correspondence to the claimant to make them aware of our letter to the Court and the proposed corrections.

Thank you for your cooperation in this regard. Should you have any questions please contact me at (208) 287-4921.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

cc: Claimant

2009 DEC 8 AM 10 29
FILED
TWIN FALLS
CLERK OF DISTRICT COURT
SRBA

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

12/04/2009
DISTRICT COURT - SADA
TWIN FALLS CO., IDAHO
FILED
2009 DEC 8 AM 10 29

RIGHT NUMBER: 21-7000
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.070 CFS
7.00 AFY

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

PRIORITY DATE: 06/28/1967

POINT OF
DIVERSION:

T15N R43E S22 NWNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	6/01 9/30	0.070 CFS 7.00 AFY
Domestic ~~1 HOME~~ use for Henrys Lake State Park.		

PLACE OF USE: DOMESTIC in FREMONT County

T15N R43E S15	NESW	T15N R43E S15	SWSW
T15N R43E S15	SESW	T15N R43E S15	NWSW

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License