



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 24, 2009

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 25-4152B (Logston)

Dear Judge Melanson:

An *Order of Partial Decree* was entered for this water right on September 30, 2005. Recently, while processing changes of ownership in the Gray's Lake area, it has come to the attention of the Idaho Department of Water Resources ("Department") that the partial decree contains a clerical error.

An error occurred in the place of use description of the recommendation for this water right when the Department neglected to input 12.50 acres located in T03S R43E S20 SWNE into the automated system. Accordingly, the place of use for this water right is properly defined as 13.6 acres, rather than 1.10 acres recommended and partially decreed.

I am attaching an Amended Director's Report which accurately describes the elements of this water right.

Accordingly, it seems appropriate for the Court to issue an amended partial decree pursuant to Rule 60(a) of the Idaho Rules of Civil Procedure, correcting the errors in the partial decree.

I am sending a copy of this letter to the claimant, so that he is aware of this error.

If you should have any questions or comments, please feel free to contact me at (208) 287-4809.

Sincerely,

Chris Bromley
Deputy Attorney General, IDWR

William Logston
Michael Holliday

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

RIGHT NUMBER: 25-4152B

NAME AND ADDRESS: WILLIAM LOGSTON
PO BOX 672
ABERDEEN ID 83210

SOURCE: POSEY CREEK

TRIBUTARY: GRAYS LAKE

QUANTITY: 0.270 CFS

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

PRIORITY DATE: 05/01/1931

POINT OF
DIVERSION:

T03S R43E S16 SESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.270 CFS
STOCKWATER	05/10 11/05	0.040 CFS

PLACE OF USE: IRRIGATION in BONNEVILLE County

T03S R43E S20 SWNE 12.50

T03S R43E S20 NWSE 1.10

STOCKWATER same as IRRIGATION

13.6 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use 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 - Beneficial Use