



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

December 2, 2008

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

Re: City of Kendrick 86-4235

To the Clerk of the SRBA Court:

The Idaho Department of Water Resources ("IDWR") recently discovered that the partial decree issued in the above-referenced subcase contains an error. When IDWR issued the Director's Report for this subcase, it contained a clerical error in the descriptions of the quantity. Specifically, the quantity element showed 0.070 cfs while the quantity referenced in the purpose and period of use elements showed 0.080 cfs. The Court thereafter incorporated the errors into the partial decree. The correct quantity should have been 0.078 cfs in both descriptions. Thus, IDWR requests the following corrections be made to the partial decree as illustrated in bold text:

<u>Quantity:</u>	~~0.070 cfs~~	0.078 cfs
<u>Purpose and Period of Use:</u>	Municipal	1/01 12/31 ~~0.080 cfs~~ 0.078 cfs

IDWR respectfully requests the Court set aside the partial decree previously filed and re-issue the partial decree. Enclosed for the Court's convenience and consideration is a corrected recommendation for this subcase. If you have questions about this matter, please contact me at (208) 287-4810.

Sincerely,


Andrea L. Courtney

Enc.

Cc: City of Kendrick
Ken Knoblock

11/25/2008

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

RIGHT NUMBER: 86-4235

NAME AND ADDRESS: CITY OF KENDRICK
PO BOX 195
KENDRICK ID 83537

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.078 CFS

PRIORITY DATE: 04/01/1952

POINT OF DIVERSION:

T38N R03W S25 NWNENE Within LATAH County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	0.078 CFS

PLACE OF USE:

Place of use is within the service area of the City of Kendrick municipal water supply system as provided for under Idaho Law.

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 - Beneficial Use