

03/18/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13276

LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Point of diversion is: T5N R44E S11 SWNW
Total Acres: 19.5

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

Point of diversion transferred 13-Feb-2004,
Transfer No. 70840. New well on new point
of diversion 6-Sep-2004, Well Tag No. 0034804

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

8 Jun-2005

SIGNATURE:

David M. Tooke

Please print your name:

DAVID M. TOOKE

IDWR Regional Office,

RECEIVED

JUN 17 2005

Department of Water Resources
Eastern Region

KMJ
6/20

03/18/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13276
NAME AND ADDRESS: LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

DAVID M TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.280 CFS
57.00 AFY

PRIORITY DATE: 05/09/1978

POINT OF DIVERSION: *S11 SWNW*
T05N R44E ~~S2 NWSEW~~ Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.280 CFS 58.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within TETON County
T05N R44E S11 SWNW 19.5

19 ACRES TOTAL
19.5

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 - License

This right is a split from original right 22-7279.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 22-7279A, 22-7279B, 22-13188, 22-13262, 22-13263, 22-13256, 22-13273, 13-13275.

This right is a split from former right 22-13276.



State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):
22-13276

Point(s) of Diversion:
T05N R44E
~~Sec 2~~ NESBW

Place of Use: (parts of)
T05N R44E
Sec 11 SWNW

Point of Diversion
T5N R44E
Sec 11 SWNW

Legend



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

900 0 900 1800 2700 3600 4500 5400 6300 7200 Feet



GIS Place of Use Illustration
1987/1988 NAPP Photography.
Prepared by: N. Treasure
Date: March 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70840

This is to certify that: DAVID M TOOKE And/Or
LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
22-13276	AJC/License	05/09/1978	0.28 cfs	68.2 af	N/A	19.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13276	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-13276	22-13276	0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of February, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

In accordance with the approval of Transfer No. 70840, Water Right No. 22-13276 is now described as follows.

Right Holder: LISA TOOKE And
 DAVID M TOOKE
 1716 CARILLON PARK
 OVIEDO FL 32765

Priority Date: May 09, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.28 CFS	58.5 AF
			0.28 CFS	58.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 11 Twp 05N Rge 44E TETON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	44E	11							19.5										19.5

Total Acres: 19.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

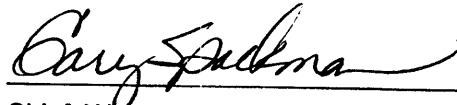
WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

CONDITIONS OF APPROVAL

6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of February, 2004



Chief, Water Allocation Bureau

Form 238-7
5/02

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

22

Office Use Only			
Well ID No.			
Inspected by			
Twp	Rge	Sec	
1/4	1/4	1/4	
Lat:	:	Long:	:

1. WELL TAG NO. D 0034804
DRILLING PERMIT NO. _____
Water Right or Injection Well No. _____

2. OWNER:
Name David M & Lisa Tooke
Address 1716 Carillon Park Drive
City Orlando State FL Zip 32705

3. LOCATION OF WELL by legal description:
You must provide address or Lot, Blk, Sub. or Directions to well.
Twp. S North ☒ or South ☐
Rge. 44 East ☒ or West ☐
Sec. 11 1/4 SW 1/4 NW 1/4
Gov't Lot _____
County Teton State ID
Lat: _____ Long: _____
Address of Well Site 400 N 700 W Backside Rd
City Tetonia
Lt. 4 Blk. _____ Sub. Name Need Parks

4. USE:
☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

Seal Material	From	To	Weight / Volume	Seal Placement Method
Kentelite	0'	20'	350#	air bore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
4"	0'	120'	.250	Steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☐ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method _____

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
160 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

12. WELL TESTS:			
☐ Pump	☐ Bailor	☐ Air	☐ Flowing Artesian
Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment)				Water	
Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8"	0'	20'	Dirt clay		X
	20'	60'	clay w/ little bit of gravel	X	
	60'	90'	clay		X
	90'	105'	Bright Red clay		X
	105'	115'	Red cynders		X
	115'	120'	grey Rock (soft)		X
	120'	130'	soft grey Rock		X
	130'	240'	dark Rock few fractures	X	
	240'	250'	Red cynders	X	
	250'	300'	Black Fractured Rock	X	

RECEIVED

SEP 20 2004

Department of Water Resources
Eastern Region

RECEIVED

SEP 20 2004

Department of Water Resources
Eastern Region

Completed Depth 300' (Measurable)
Date: Started 8-31-04 Completed 9-1-04

14. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Company Name Dennings Drilling Firm No. 518
Principal Driller Dennis Dennings Date 9-6-04
and Driller or Operator II [Signature] Date 9-2-04
Operator I _____ Date _____
Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.