

Craig

02/08/2003

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: April 21, 2003

Water right number: 29-446B

CHRISTINA R FOULKROD
9651 W POCA TELLO CREEK RD
POCA TELLO ID 83201
Telephone Number: (208) 232-4706

LARRY E FOULKROD
9651 W POCA TELLO CREEK RD
POCA TELLO ID 83201
Telephone Number: (208) 232-4706

RECEIVED

MAY 07 2003

WATER RESOURCES
WESTERN REGION

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

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

SEE ATTACHED Preliminary Recommendation dated 4/10/03

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

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

DATE: 4/15/03

SIGNATURE:

Larry E. Foulkrod

Please print your name:

LARRY E. FOULKROD

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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APR 23 2003

WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2003

LARRY E FOULKROD
CHRISTINA R FOULKROD
9651 W POCATELLO CK RD
POCATELLO ID 83201

RE: Change in preliminary recommendation for Snake River Basin Adjudication claim
29-00446B

Dear Mr. and Ms. Foulkrod,

I spoke with Larry on February 28, 2003 about his concern regarding a remark on the preliminary recommendation for 29-00446E. The comment read as follows:

**RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.**

After reviewing I do not feel that the above remark should be on the recommendation. I have removed that remark from the recommendation (enclosed).

As we spoke about on the phone, there is a similar remark to the one above related to the Place of Use. I have to include that remark because part of the recommended place of use (irrigated ground) lies in a 40 acre tract that is not defined in the decree.

Please feel free to contact me with any questions. If everything looks satisfactory then no further action needs to be taken. You will be notified by the SRBA court at the time the directors report is issued.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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APR 23 2003

04/10/2003

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

RIGHT NUMBER: 29-446B

NAME AND ADDRESS: CHRISTINA R FOULKROD
9651 W POCA TELLO CREEK RD
POCA TELLO ID 83201

LARRY E FOULKROD
9651 W POCA TELLO CREEK RD
POCA TELLO ID 83201

SOURCE: POCA TELLO CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 09/09/1904

POINT OF DIVERSION:

T06S R35E S19 SWSENE Within BANNOCK County Source: POCA TELLO CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R35E S18 Lot 4 SWSW 0.5 T06S R35E S18 SESW 3.7

STOCKWATER same as IRRIGATION

4.2 ACRES TOTAL

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: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.