

10/05/2005

**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: 21-10051

SANDRA W BOLLAERT
428 EMERALD COURT
STEAMBOAT SPRINGS CO 80487-3001
Telephone Number: (970)879-3011

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

Water not of beneficial use also period of use

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

- 1) We would like the water rights to stay with the land, beginning 1898 when the land was homesteaded.
2) To show that the springs are still of beneficial use to us, as well as they were to the Mauers..

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

Purpose of use is not only irrigation! We do **not** have a well and use the spring's source as our household water, the same as the Maurer family. We use the water as well for watering flowers and garden. Flood irrigate lawns and apple trees, as well as fill the troughs for the horses.

As for period of use- These springs have been used for household, garden and farm irrigation since 1898! We have shown you proof of the Maurer Homestead and they raised their children and grandchildren on this land and used the springs for everything, household, garden, apple orchard, grain hay, etc. As for us, yes, at this time we are not retired (only 1 more year), and are there from May until the middle of November. However, we do have friends, family, ourselves, that come in at the holidays and need that water in the house. We plan to retire there.

DATE:

11-11-05

SIGNATURE:

Sandra W. Bollaert

Please print your name:

SANDRA W. BOLLAERT

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

RECEIVED
NOV 2 2005

Department of Water Resources
Eastern Region

Kay
11/21

10/05/2005

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

RIGHT NUMBER: 21-10051
NAME AND ADDRESS: SANDRA W BOLLAERT
428 EMERALD COURT
STEAMBOAT SPRINGS CO 80487-3001

Disallowed

SOURCE: SPRINGS

TRIBUTARY: HENRYS FORK

QUANTITY: 0.250 CFS

PRIORITY DATE: 10/31/1898

POINT OF DIVERSION:
T09N R43E S21 SWNNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.250 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T09N R43E S20	NENE	29.0	T09N R43E S20	NWNE	35.0
T09N R43E S21	NENE	2.0	T09N R43E S21	NWNE	14.0

80 ACRES TOTAL

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

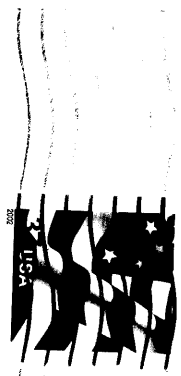
No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

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NOV 21 2005
Department of Water Resources
Eastern Region

2005

[illegible][illegible]