

02/18/2003

Craig

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: 29-604A

R SCOTT WELLS
~~1350 E CEDAR~~ 1922 W. Portneuf Rd.
~~POCATELLO ID 83201~~ Forks, ID 83245
Telephone Number: (208) ~~234-9205~~
221-6026

RECEIVED

MAY 07 2003

WATER RESOURCES
WESTERN REGION

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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

- a. Quantity
- b. Priority Date

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

- a. 18 acres @ 1.25" to the Acre
- b. Priority Date Consistent with Fort Hall Indian Reservation.
1863? 1868? 1869?

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

- a. 60yrs of arial photo's show 29-604a as providing the most beneficial and efficient use of the source.
 - 1. Geologically this source is known as Indian Sinks. without the Blatwack ditch work the water does not set very far.

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

DATE:

4/18/03

SIGNATURE:

R. Scott Wells

Please print your name:

R. Scott Wells

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

b. Warrantee Deeds show Land being owned by an Indian until 1949.

- 1. Even though the 1920 Decree did not consider this Indian allotment. at that time, what is right is right. The judge may not have considered it an issue in 1920. It is now an issue, and is clearly a Fort Hall Indian Allotment.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____
Date Received: _____
Receipt No: _____
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

R SCOTT WELLS Phone: (208) 234-9205
1350 E CEDAR
POCATELLO ID USA 83201

2. Date of Priority: ____/____/____

3. Source: INDIAN CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	28	NW NW	BANNOCK	
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5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES, SMALL POND WITH DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.029	

7. Total Quantity Appropriated is:
0.029 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07S	36E	28	NW NW	IRRIGATION	15

Total Acres 15

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