

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: 29-2046A

RASHID E BISHARAT

PO BOX 366

INKOM ID 83245

Telephone Number: (208) 775-4402

3/24/03 ADD: NAILA BISHARAT (WIFE)
(OR)

Done
3/24/03

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

Answered PACE ABOVE QP

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:

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

DATE: 3-3-2003

SIGNATURE:

Rashid Bisharat

Please print your name:

RASHID BISHARAT

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

POC IN SWNW Sec. 26 BELONGS TO
Piock Co. INC. SOE GPS BARR. Co.
Qewnon Theme print. 3/7/03

Done
3/21/03
ABC

3/21/03 Mr. BISHARAT'S DDOO CONFIRMS (PARCEL #1) DOES
BOLONG TO Him IN SWNW Sec. 26 SO. OF Piock Co. Rd.

02/08/2003

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

RIGHT NUMBER: 29-2046A

NAME AND ADDRESS: RASHID E BISHARAT
PO BOX 366
INKOM ID 83245

SOURCE: GREEN CANYON CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 05/05/1906

POINT OF DIVERSION:
T07S R36E S26 SESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.270 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S26	NWSW	9.6	T07S R36E S27	NESE	3.9
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13.5 ACRES TOTAL

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

PORTION OF RIGHT FORFEITED/ABANDONED DUE TO NON-USE FROM
1975 TO 1987.

PORTION OF RIGHT FORFEITED/ABANDONED: This is included for a claim based on a decree or license that is PROPOSED to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

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



STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-02046A



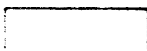
500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 Feet



LEGEND

SESE Place of Use

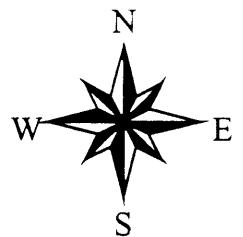
Place of Use: T7S, R36E
(parts of) Sec. 26 NWSW,
Sec. 27 NESE

 Section

Quarter-Quarter

Point(s) of Diversion: T7S, R36E
Sec. 26 SESWNW

 Point of Diversion



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: November 2001

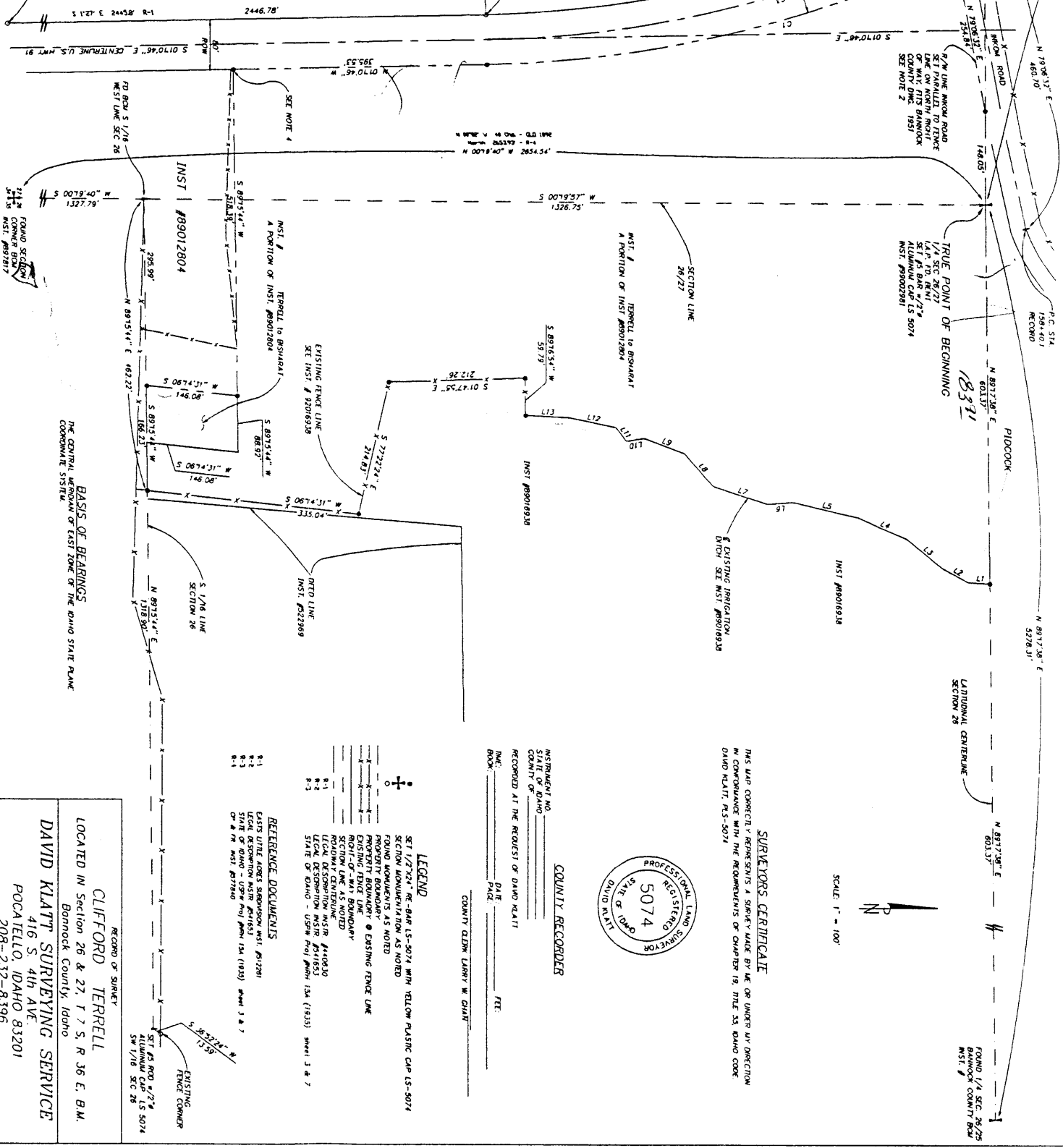
NUMBER	DISTANCE	BEARING
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ALIGNMENT OF EXISTING IRRIGATION DITCH

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	24°22'25"	1802.84	796.93	781.16
C2	17°51'30"	1722.84	734.20	716.57
C3	17°51'30"	1722.84	734.20	716.57
C4	08°09'51"	1802.84	193.96	193.06

NOTES:

1. NO EXISTENTS LOCATED
2. SOUTH R/W LINE INKOW ROAD SET PARALLEL TO FENCE LINE ON NORTH R/W LINE & 50 FEET DISTANT. FENCE LINE ON NORTH R/W LINE OF 7679'42" RECORD PER 1951 COUNTY DRAWING 76766. A RECORD RADIUS OF 238.0' SET 35' PC OF CURVE 460.0' EASTWARD OF CENTERLINE OF INKOW ROAD ON SECTION LINE 115.
3. I ACCEPTED FENCE LINES AS PROPERTY LINES BETWEEN ADJACENTS BECAUSE I FELT THAT LEGAL DESCRIPTION WRITTEN ATTEMPTED TO DESCRIBE AGREED UPON LINES BY JUNE LISH & GERRIE THORNDYKE FENCE LINES ALSO DO NOT DISCLOSE ANY OTHER LINES.
4. EXISTING FENCE LINE 43.7' ON CENTERLINE PER PLAN F.I.R.M. INKOW ROAD, PAGE #10010 0001 C. NOD 1928.



COUNTY RECORDER

INSTRUMENT NO. _____
STATE OF IDAHO _____
COUNTY OF _____
RECORDED AT THE REQUEST OF DAVID KLATT
NAME: _____
PAGE: _____
BOOK: _____
FEE: _____



THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION
IN CONFORMANCE WITH THE REQUIREMENTS OF CHAPTER 18, TITLE 55, IDAHO CODE.
DAVID KLATT, P.S.-5074

SURVEYORS CERTIFICATE

LEGEND

- SET 1/2" X 2" RE-BAR LS-5074 WITH YELLOW PLASTIC CAP LS-5074
- SECTION MONUMENTATION AS NOTED
- FOUND MONUMENTS AS NOTED
- PROPERTY BOUNDARY
- EXISTING FENCE LINE
- RIGHT-OF-WAY BOUNDARY
- SECTION LINE AS NOTED
- FOUNDER R.O.W. BOUNDARY
- LEGAL DESCRIPTION INSTR. #110910
- LEGAL DESCRIPTION INSTR. #110553
- STATE OF IDAHO - USWB PLAN #10010 15A (1935) sheet 3 & 7

REFERENCE DOCUMENTS

- 8-1 EAST LITTLE AGNES SUBDIVISION W.S. #12781
- 8-2 LEGAL DESCRIPTION INSTR. #110553
- 8-3 STATE OF IDAHO - USWB PLAN #10010 15A (1935) sheet 3 & 7
- 8-4 STATE OF IDAHO - USWB PLAN #10010 15A (1935) sheet 3 & 7

CLIFFORD TERRELL

LOCATED IN Section 26 & 27, T 7 S, R 36 E, B.M.
Bannock County, Idaho

DAVID KLATT SURVEYING SERVICE
416 S. 4th AVE.
POCAHELLO, IDAHO 83201
208-232-8396

WARRANTY DEED

For Value Received **PIDCOCK CORPORATION****99000390****THE PIDCOCK COMPANY, INC., An Idaho Corporation**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RASHID E. BISHARAT AND NAILA BISHARAT, husband and wifewhose address is: ✓ P.O BOX 366 INKOM, IDAHO 83245

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

PARCEL 1:

All that portion of the following legal description lying West of the Section line common to Sections 26 and 27: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, T 7S. Range 36E. B.M., BANNOCK COUNTY, IDAHO. More particularly described as follows: Commencing at the $\frac{1}{4}$ corner common to Sections 26 & 27, T 7S, R 36E. B.M., thence N. 89°17'38" E. along the latitudinal centerline of Section 26 a distance of 603.37 feet to a point on the centerline of an irrigation ditch. Thence Northwesterly along the centerline of said irrigation ditch the following courses: N. 04°25'16" W. 17.25 feet, N. 22°24'04" W. 32.16 feet, N. 18°16'21" W. 12.63 feet to a point of intersection with the Southerly right-of-way of Pidcock Road. Thence S. 86°36'32" W. along the Southerly right-of-way of Pidcock Road 586.94 feet to a point of intersection with the Southerly right-of-way of Inkom Road; thence S. 77°50'08" W. along the Southerly right-of-way of Inkom Road 151.32 feet to a point of intersection with the latitudinal centerline of Section 27; thence N. 89°54'25" E. to the $\frac{1}{4}$ corner common to Sections 26 & 27.

PARCEL 2:

All that portion of the following legal description lying East of the Section line common to Sections 26 and 27: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, T 7S. Range 36E. B.M., BANNOCK COUNTY, IDAHO. More particularly described as follows: Commencing at the $\frac{1}{4}$ corner common to Sections 26 & 27, T 7S, R 36E. B.M., thence N. 89°17'38" E. along the latitudinal centerline of Section 26 a distance of 603.37 feet to a point on the centerline of an irrigation ditch.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and

TO HAVE AND TO HOLD the said premises, with their appurtenances and assigns forever. And the said Grantor does hereby covenant to and with the said simple of said premises; that said premises are free from all encumbrances except except U. S. Patent reservations, restrictions, easements of record, and easements vis warrant and defend the same from all claims whatsoever.

Dated: December 22, 1998

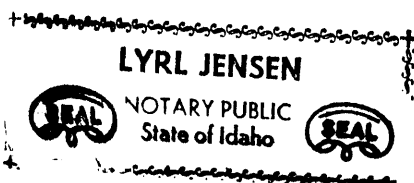
THE PIDCOCK COMPANY, INC., An Idaho Corporation

by: Ken Pidcock

*THIS LEGAL DESCRIPTION
IS IN-COMPLETE. IT DOES
NOT DEFINE THE EAST
BOUNDARY (EXCEPT AS) THE
CENTERLINE OF THE DITCH,
IT DOES NOT CLOSE,*

STATE OF IDAHO)
: ss
COUNTY OF BANNOCK)

On This 28th day of DECEMBER, in the year 1998, before me, a Notary Public in and for said State, personally appeared KEN PIDCOCK, known or identified to me to be the PRESIDENT of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



Lyrl Jensen
Notary Public of Idaho
Residing at P.O. Carrels
Commission Expires: 12/27/2000

99000390

NO
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE

DEC 27 1998