

Paul

02/18/2003

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: 29-2049

MOUNTAIN VIEW FARMS INC
C/O GERALD JOHNSON
9112 W 2 1/2 MILE RD
POCATELLO ID 83202-5206
Telephone Number: (208)237-1885

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:

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: 3-7-03 SIGNATURE: Gerald Johnson

Please print your name: Gerald Johnson

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-2049

Owner Type Name and Address
Current Owner MOUNTAIN VIEW FARMS INC
 C/O GERALD JOHNSON
 9112 W TWO & A HALF MILE RD
 POCATELLO, ID 83202-5206
 (208)237-1885

Original Owner JAMES J WEATHERMAN
 POCATELLO, ID 83201

Priority Date: 07/19/1906
Basis: License
Status: Active

Source Tributary to
TWO AND A HALF MILE CREEK SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2 CFS	350 AFA	
Total Diversion			2 CFS	350 AFA	

Location of Point(s) of Diversion:

TWO AND A HALF MILE CREEK SWNWNW Sec. 29 Township 05S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 100

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Townshi</u>	<u>Rang</u>	<u>Sectio</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	35E	30		NENE	20		NWNE	40		SWNE	40			

Total Acres: 100

Conditions of Approval:

- C18 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.

Remarks:

- Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-2371 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

Author	Date	Subject	Comment
PSKAGGS	5/21/2001	Transferred Right	This is now a approved transfer, transfer number 68555
bcontor	6/18/2001	PPU	Phone interview with claimant indicates PPU with GW right 29-2371 would not be appropriate.
bcontor	6/18/2001	Recommendation	Transfer sought change in POD. Other elements claimed as licensed and as verified by GIS. No further analysis required.
bcontor	6/18/2001	Priority Date	Adjusted to match license. Claimed 7/28/1906, recommended 7/16/1906.
bcontor	6/18/2001	POD on GIS	Located by PLS description as no better data were available.
bcontor	6/18/2001	Volume	Volume added per formal transfer even though this is surface source.

Dates:

Licensed Date: 08/01/1979
 Claim Received Date: 04/09/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Summary	6/18/2001 3:31:13 PM		6/18/2001 3:31:13 PM	bcontor	Complete

Other Information:

Receipt Number(s): E012980
 State or Federal:
 Owner Name Connector:
 Water District Number: 01
 Generic Max Rate per Acre: 0.02
 Generic Max Volume per Acre: 3.5
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	6/18/2001 3:24:00 PM	bcontor	Edited point location
POU	6/18/2001 3:26:55 PM	bcontor	Edited shape boundary
Summary	6/18/2001 3:31:11 PM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (YES) General remark was required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.