

GIRARD

Amended Copy

Dave

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

RECEIVED

APR 25 2003

Department of Water Resources
Eastern Region

Water right number: 29-~~2205~~ 7205

2686 ~~2686~~ S MARSH VALLEY CREEK RD Raymond W Girard
MC CAMMON ID 83250 3690
Telephone Number: (208)254-~~2205~~

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): .02 CFS PER ACRE NOT SUFFICIENT.

THIS PIECE OF PROPERTY HAS THE SAME SOIL TYPE AS THE PROPERTY OWNED BY CURTIS DUNN NOW LISTED UNDER RIGHT NUMBER: 29-4101A AND SHOULD ALSO BE ALLOWED .03 CFS PER ACRE AS THE DUNN ACREAGE.

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

ADD .01 CFS PER ACRE ~~THIS~~ ^{TO} THIS WATER RIGHT.

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

.02 CFS PER ACRE IS NOT ENOUGH WATER TO AFFECTUALLY WATER MY ACREAGE.

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

DATE:

4/23/03
4/23/03

SIGNATURE

Raymond + Debra Girard

please print your name:

RAYMOND + Debra Girard

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

PLEASE SEE SUPPORTIVE INFORMATION ENCLOSED:

ENCLOSURE (1) D.L. CURTIS LTR OF MARCH 2, 1988.

ENCLOSURE (2) D.L. CURTIS LTR OF MARCH 14, 1988.

ENCLOSURE (3) IDWR PRELIMINARY RECOMMENDATION FOR RIGHT NUMBER 29-4101A

~~ENCLOSURE (4) D.L. CURTIS LTR OF 3/15/1988~~

ENCLOSURE (4) D. ELLISON NOTES OF MARCH 8, 1988 FROM SOIL CONSERVATION SERVICE SURVEY WITH MAP OF ACREAGE



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 2, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

The soil on your property is classified as Hondoho Arbone gravelly silt loam. This soil is formed in alluvium derived from mixed sources.

The Hondoho soil is the dominant soil present here and below the 15 inch depth it is a composite of very gravelly loam and very cobbly loam.

Due to the above nature of this soil, it is very droughty and porous. Its water holding capacity is quite low when compared to the average silt loam soil in Bannock county. Specifically, its water holding capacity for a 60 inch profile varies from 4.8 to 6.6 inches of water, while the average silt loam varies from 11.4 to 12.6 inches of water.

Thus, the only way to have adequate irrigation water is to increase the amount of water needed by 40 to 50 per cent.

One other way to insure adequate irrigation water is to put it in a measuring devise at your property line.

David L. Curtis

David L. Curtis
District Conservationist

jw
cc: file

RECEIVED

APR 25 2003

Department of Water Resources
Eastern Region



United States
Department of
Agriculture

Soil
Conservation
Service

250 South 4th--Suite 112
Pocatello, Idaho 83201

March 14, 1988

Keith Henrichs
2526 S. Marsh Creek Rd.
McCammon, Idaho 83250

Dear Keith:

As a follow-up to your question on the Hondoho gravelly silt loam, this soil has a lower water holding capacity than the average silt loam soil in Bannock County. As stated in our letter dated March 2, 1988, its water holding capacity is 4.8 to 6.6 inches, while the average silt loam is 11.4 to 12.6 inches of water.

Thus, if the State of Idaho, Department of Water Resources typical allocation per acre is .02 cfs per acre on average soils, then to have adequate water as stated above, an increase of 50% is needed.

The above information applies to all soils in your area labeled Hondoho gravelly silt loam.

Sincerely,

David L. Curtis
District Conservationist

jw
cc: file

RECEIVED

APR 25 2003

Department of Water Resources
Eastern Region



EMCL.(3)

10/28/2002

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

RIGHT NUMBER: 29-4101A

NAME AND ADDRESS: CURTIS DUNN
PO BOX 101
INKOM ID 83245

JODEANA DUNN
PO BOX 101
INKOM ID 83245

SOURCE: WALKER CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.420 CFS

PRIORITY DATE: 05/05/1916

POINT OF DIVERSION:

T08S R36E S15 NWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.420 CFS

PLACE OF USE:

STOCKWATER Within BANNOCK County

T08S R36E S15 NESW

T08S R36E S15

NWSW

IRRIGATION Within BANNOCK County

T08S R36E S15 NESW 10.0

T08S R36E S15

NWSE

4.1

14.1 ACRES TOTAL $\times .03 \text{ CFS} = 0.420 \text{ CFS}$

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: Beneficial Use

Water Right 29-4101A

RECEIVED

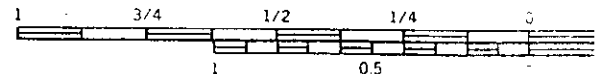
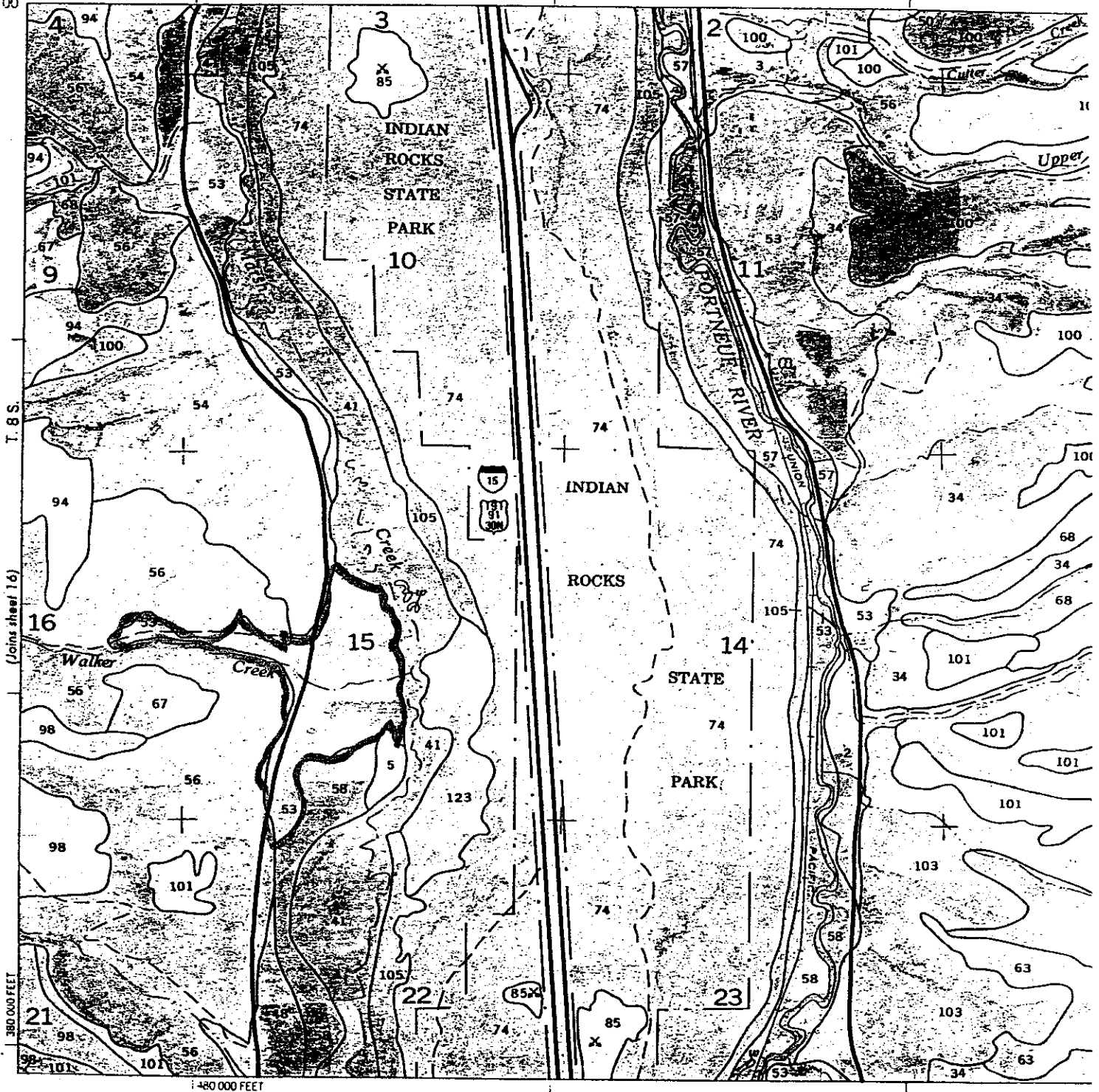
1 APR 25 2003

Department of Water Resources
Eastern Region

FWLL (14)

112°15'00"
42°45'00"

Cardinal grid ticks and land division centers, if shown, are approximately positioned.



ENCLOSURE (3)

D. ELLISON - NOTES

Idaho
D. Ellison

3-8-88

Water Cost Irrigation Water

Given: 10 acres irrigated pasture
1.5 cfs water available
Gravelly loam soil 16" / ft WHC
Soil depth 1.5 ft
Irrigation System 80% efficient.

Find: time required to irrigate 10 ac with given stream.

Solution: 1.5 ft soil will hold 2.4 in water
50% Available for plant use.

1.2" water needed for net irrigation.

$1.2 \div .6 = 2''$ water needed per irrigation.
4"

1.5 cfs for 1 hr = 1.5 ac. in

1.5 cfs for 12 hrs = 18 ac in

$\frac{18 \text{ ac in}}{10} = 1.8$

1.5 cfs for 16 hrs = 24 ac in.

$\frac{24 \text{ ac in}}{10 \text{ ac}} = 2.4 \text{ in applied}$

02/08/2003

NOTICE OF ERROR
REPLY

Dave
Carlson

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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: 29-7205

DEBRA GIRARD
2680 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3690

RAYMOND W GIRARD
2680 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-3690

RECEIVED
APR 07 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):

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 disagree with the date because all this land was irrigated since 1912. This is based on it was

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

DATE: 4-1-03

SIGNATURE:

Raymond W Girard & Debra Girard

Please print your name:

Raymond W & Debra Girard

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

believed this land was Indian allotment land and it is under still is under investigation at this time.

1998

4-1007.

The United States of America.

To all to whom these presents shall come, Greeting:

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Eggh Oshit on Indian of the Fort Hall Reservation, has been allotted the following-described land:

The north half of the northwest quarter of Section Fifteen in Township eight-south of Range thirty-six east of the Boise Meridian, Idaho, containing eighty acres, (NE4SW4)

according to the Official Plot of the Survey of the said Land, returned to the General Office by the Surveyor General:

NOW KNOW YE, that the UNITED STATES OF AMERICA, in consideration of the cession and in accordance with the provisions of the act of Congress of February 25, 1885 (23 Stat., 688), HAS GRANTED AND GRANTED, and by these presents DOES GRANT AND GRANT, unto the said Benji Obenit and to his heirs, the lands above described: TO HAVE AND TO HOLD to the said Benji Obenit and to his heirs, together with all the rights, privileges, immunities, and advantages, or that hereafter may become thereunto belonging, unto the said Benji Obenit and to his heirs forever, under the provision that the title hereby acquired shall not be subject to alienation, lease, incumbrance, either by voluntary conveyance of the grantee or his heirs, or by the court order, or decree of any court, or subject to taxation of any character, but shall and shall remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. And there is reserved, over the lands hereby granted, a right of way for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 3, 1904.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIFT under number 1, at the City of Baltimore, the Tenth of March, 1906, was received by the Board of the National Academy of Sciences, and the same day it was presented to the Secretary of the Academy.

Doc. No. 1001790 12/1/89

By E. P. 10207, secretary.

15344

L. C. C. Mear, Recorder of the General Land Office.

ED101377: Report. The year 2013

RECORDED: AUG 31 1947 3 06 PM in Room 66 of Deeds and the Records of Sanook Co. by
State of Alaska, the request of P. W. J. Co.
William Soderberg, Recorder. See 41.01. By A. Smyth, Clerk

Page 43.01

W. A. Cayle, Director

INSTRUMENT NO. 162861

5-176

TELETYPE UNIT, TYPE 1570 24700.

OFFICE OF INDIAN AFFAIRS
RECEIVED
AUG 20 1961
60311

THIS INSTRUMENT, made and entered into this sixth day of March one thousand nine hundred and twenty-two, by and between Inawetoo, Peayon, Slim World, Nevada Tindore, Chauncy Tindore, Lorenzo Tindore, William Tindore, Pearl Tindore, Mary Samo, Sadron Tindore, Sam Deconster, of Fort Hall, Idaho, heirs of Pearl Omsitt, deceased, a Fort Hall Indian, parties of the first part, and Mrs Albert Zwainart, of Pocatello, Idaho, party of the second part:

WITNESSETH, That said parties of the first part, for and in consideration of sum of THREE THOUSAND (\$3,000.00) Dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following described real estate and premises situate in Pennock County, State of Idaho, to-wit:

North one-half (N/2) of the south-west quarter (SW/4) of section fifteen (15) township eight (8) north and range six (6) east of the 5th Meridian, Idaho, containing eighty (80) acres, more or less.

"And there is reserved from the lands hereby granted, a right of way for ditches and canals constructed by the authority of the United States."

together with all the improvements thereon and the appurtenances thereto belonging, and the said parties of the first part, for themselves and their heirs, executors, and administrators, do hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under any title.

To have, and to hold, with covenanted promises unto the said party of the first part, with heirs, executors, administrators, heirs, and assigns, forever.

RECEIVED
SEP 27 2002

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals this day and year first above written.

WITNESSES:

Robert R. Burns
R. M. Allen

Hevadora Tindore his finger print
Gidsoon Edmo his finger print

Ingwehoo her finger print mark
Peeyou her finger print mark
Slim Nechi her finger print mark

Chauncy Tindore (SEAL)
Sam Desowater (SEAL)
Lorenzo Tindore (SEAL)
William Donner (SEAL)
Legal guardian for Mary Edmo,
Pearl Edmo and William Tindore,
minor heirs.

State of Idaho }
County of Blaine } ss:

BE IT REMEMBERED, That on this 16th. day of August, A. D., 1912 before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Ingwehoo, Peeyou, Slim Nechi, Hevadora Tindore, Chauncy Tindore, Lorenzo Tindore, Sam Desowater and William Donner, to me personally known to be the identical persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

Robert R. Burns

(SEAL)

Notary Public,
Fort Hall, Idaho.

My commission expires April 1, 1913.

Department of the Interior,
OFFICE OF INDIAN AFFAIRS,
SEP 13 1912

The within deed is respectfully submitted to the Secretary of the Interior, with the recommendation that it be approved.

G. F. Hawke

Chief Clerk

Department of the Interior,
SEP 19 1912

The within deed is hereby approved.

F. M. Goodwin

Assistant Secretary.

Office of Indian Affairs,
LAND DIVISION,
SEPT 22, 1912

Received in Deed Book, Unherited Indian Lands, Vol. 40, page 313

This instrument was filed for record on the 31 day of Aug., 1912 at 8-09 o'clock P. M. and duly recorded in Book 55 Deed on page 478 at the request of POCAHELLO TITLE & TRUST CO., Lillian Spence, Recorder.
Fee \$1.25
J. A. Smyth, Secy.

INSTRUMENT NO. 162332

3-1913

INDIAN DEEDS INHERITED LANDS.

THIS INSTRUMENT, made and entered into this 30th day of April, 1912, between Hevadora and Chauncy Tindore, by and between Slim Nechi and Slim Nechi, heirs of Yagwagan, deceased, a Fort Hall Indian, parties of the first part, and Albert Zweigert, of Pocahellico, Idaho, party of the second part;

IT IS HEREBY STATED, That said party of the first part, for and in consideration of the sum of FIFTY THOUSAND dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the land and the described well and premises situated in Blaine County, State of Idaho.

RECEIVED
SEP 22 1912
2002