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11/27/2006

11/15/2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 78-4102A

PEGGY L BOLDMAN
6247 NORTHVIEW ST
BOISE ID 83704
Telephone Number: (208)322-4922

MICHAEL F BOLDMAN
6247 NORTHVIEW ST
BOISE ID 83704
Telephone Number: (208)322-4922

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

QUANTITY
PLACE OF USE

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

INCREASE QUANTITY TO 0.520 CFS
CHANGE PLACE OF USE TOTAL ACRES TO 9.0 ACRES TOTAL

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

HISTORICAL USE HAS NOT CHANGED
(9) IRRIGATED ACRES ARE 15% SAND

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

DATE: 11-22-06

SIGNATURE:

Michael F. Boldman

Peggy L. Boldman

Please print your name:

MICHAEL F. BOLDMAN

Peggy L. Boldman

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Phone: 208-322-4922

11/15/2006

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

RIGHT NUMBER: 78-4102A

NAME AND ADDRESS: PEGGY L BOLDMAN
6247 NORTHVIEW ST
BOISE ID 83704

MICHAEL F BOLDMAN
6247 NORTHVIEW ST
BOISE ID 83704

SOURCE: SQUAW CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.380 CFS

PRIORITY DATE: 01/01/1896

POINT OF DIVERSION:

T24N R01E S17 SWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/30	0.360 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S17	SWNE	5.00	T24N R01E S17	NWSE	3.50
---------------	------	------	---------------	------	------

STOCKWATER in IDAHO County

T24N R01E S17	SWNE	T24N R01E S17	NWSE
---------------	------	---------------	------

8.5 ACRES TOTAL

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: BASIS OF CLAIM - Beneficial Use

SD-0605-2		Township: 24N		Range: 01E		Section: 17		Tract:		Lot:	
S	L	R	STATE	O	S	Max #	Records	36			
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversions	
	SWNE			A78-04102A	POLLARD, HAROL	C	S	01/01/1896	SQUAW CREEK	0.52	
					POLLARD, ARTIS	C					
	SWNE			A78-04102B	UPDEGROVE, JAM	C	S	01/01/1896	SQUAW CREEK	0.02	
					UPDEGROVE, JAN	C					
	SWNE			A78-04101	ROBERTS, MICHA	C	S	05/01/1896	SQUAW CREEK	0.80	
					ROBERTS, GEORG	C					
	SWNE			A78-04102	ROBERTS, WILMA	O		01/01/1896	SQUAW CREEK	0.52	
					SPLIT RIGHT,	C			SPLIT RIGHT		
					ROBERTS, B. ED	O					
					POLLARD, ARTIS	O					
	SWNE			A79-12838	MONSON, ATTORN	A	F	00/00/0000	SPRING	0.0	
					AMERICA, TRUST	C					
					BIA,	K					
	SWNE			A79-13521	NEZ PERCE TRIB	C	F	00/00/0000	SPRING	0.0	
					NEZ PERCE TRIB	K					
					CRAVEN, REBECC	A					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

01/16/1997 16:00 3275400

IDWR

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SD-0605-2		Township: 24N		Range: 01E		Section: 17		Tract:		Lot:	
S	L	R	STATE	O	S	Max #	Records	36			
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversions	
	NWSWNE			A78-10298	POLLARD, HAROL	C	J	12/31/1890	SPRING	0.08	
					POLLARD, ARTIS	C					
	NWSWNE			A78-10361	UPDEGROVE, JAN	C	J	07/22/1966	SPRING	0.02	
					UPDEGROVE, JAM	C					
	NWSWNE			A78-10342	RIGGS, NANCEE	C	J	01/31/1890	SPRING.	0.04	
	SWNW			A79-12836	MONSON, ATTORN	A	F	00/00/0000	SPRING.	0.0	
					AMERICA, TRUST	C					
					BIA,	K					
	SWNW			A79-13519	NEZ PERCE TRIB	C	F	00/00/0000	SPRING	0.0	
					NEZ PERCE TRIB	K					
					CRAVEN, REBECC	A					
	NESW			A78-07215	AMELL, JAMES A	C	P	04/07/1982	PAPOOSE CRE	0.05	
	NWSW			A79-12837	MONSON, ATTORN	A	F	00/00/0000	SPRING	0.0	
					AMERICA, TRUST	C					
					BIA,	K					
	NWSW			A79-13520	NEZ PERCE TRIB	C	F	00/00/0000	SPRING	0.0	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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: 39356

Ident. Number 78-4102

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

127 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Herald E. Ballard et al Phone () 208-733-4000Mailing Address Box 1296 Zip 233492. Date of Priority (Only one (1) per claim) 12/31/19963. Source of water supply (a) Snow Creek
which is tributary to (b) Little Salmon River4. a. Location of existing point of diversion is: Township 24N Range 1E Section 17,
_____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 24N Range 1E Section 17, NE 1/4 of SW 1/4 of NE 1/4,Govt. Lot _____ B.M., County of Idahoending point is: Township 24N Range 1E Section 17, SE 1/4 of NE 1/4 ofSE 1/4, Govt. Lot _____ B.M., County of Idaho5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. But dam is in place at this time

to flood irrigation at place of use

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 01/01 to 12/30 amount 0.50 or _____

For Stockwater purposes from 01/01 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.52 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 18 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Up to 12 head range cattle 2 pasture stock watering

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
24N	01E	17			3/5											3/4			9

Total number of acres irrigated 9

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
78-9102 or None ()

14. Remarks: Claimant states that acres irrigated is 15% sand, thus requiring additional irrigation water
Stock watering is instream (ditch water) with no diversions to troughs

Last Name Billard Ident No. 78-9102

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Harold E. Pollard Date 6/28/98

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Id)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 20th day of June 19 98

SEAL

Notary Public Joe Del Prete

Residing at Boise Id.

My Commission Expires 6/3/99

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Pollard Ident. Number 78-4102

Copies White-State, Yellow-Claimant

File No. 12165

EXHIBIT A

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SCHEDULE C

DEPARTMENT OF
WATER RESOURCES

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 17: Commencing at the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17,
Township 24 North, Range 1 East, Boise Meridian,
thence following courses and distances as follows:
North 206.7 feet;
thence N.35°28'W., 424.5 feet;
thence N.19°03'W., 444.8 feet;
thence N.33°51'W., 505.2 feet;
thence N.21°32'W., 443.9 feet;
thence N.35°40'W., 340.5 feet;
thence N.79°17'W., 157.4 feet;
thence S.84°15'W., 60 feet;
thence S.09°30'E., 800 feet;
thence S.59°45'E., 431.4 feet;
thence N.80°15'E., 97.0 feet;
thence S.59°45'E., 65 feet;
thence S.80°15'W., 283.4 feet;
thence S.59°30'W., 142.5 feet;
thence S.57°W., 100 feet;
thence S.28°30'E., 137.4 feet;
thence N.82°30'E. along Papoose Creek Forest Road right
of way 548.3 feet;
thence N.86°E., 136 feet, more or less, to a point
intersecting the third course of this description, thus
closing the boundary of this tract;

LESS that portion of said property as described in
Right of Way Deed to the United States of America,
Instrument No. 155608, recorded April 1, 1947, in Book 78
of Deeds, at page 290, records of Idaho County, Idaho.

continued....

File No. 12165

SCHEDULE C - continued:

EXHIBIT A

ALSO LESS a tract of land described as: Beginning at the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 24 North, Range 1 East, Boise Meridian, thence following a traverse line, to the true point of beginning, as follows:

North 206.7 feet;
thence N.35°28'W., 424.5 feet;
N.19°03'W., 444.8 feet;
N.33°51'W., 505.2 feet;
N.21°32'W., 443.9 feet;
N.35°40'W., 340.5 feet;
N.79°17'W., 157.4 feet;
S.84°15'W., 60 feet;
S.9°30'E., 800 feet;
S.59°45'E., 431.4 feet;
N.80°15'E., 97 feet;
S.59°45'E., 65 feet, to a point, which is the True Point of Beginning;
thence S.80°15'W., 283.4 feet;
thence S.59°30'W., 142.5 feet;
thence S.57°W., 100 feet;
thence S.28°30'E., 137.4 feet;
thence N.82°30'E. along the Papoose Creek Forest Road right of way, 579 feet, more or less, to the Center of Squaw Creek;
thence Northwesterly along the thread of the stream of Squaw Creek to a point bearing S.70°W. from the True Point of Beginning;
thence N.70°E., to the True Point of Beginning.

ALSO LESS a tract of land described as: Commencing at the Southeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 24 North, Range 1 East, B.M., and running thence North 206.7 feet,
thence N.35°28'W., 424.5 feet;
thence N.19°03'W., 444.8 feet;
thence N.33°51'W., 505.2 feet, to the True Point of Beginning;
thence S.68°28'W., 100 feet;
thence N.21°32'W., 200 feet;
thence N.68°28'E., 100 feet;
thence S.21°32'E., 200 feet to the True Place of Beginning.

78-4102 A



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