

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED
DEC 07 7 3
DEPARTMENT OF
WATER RESOURCES

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: 67-4510

CARL M CASE
PO BOX 399
CAMBRIDGE ID 83610
Telephone Number: (208)257-3911

JOANNE M CASE
PO BOX 399
CAMBRIDGE ID 83610
Telephone Number: (208)257-3911

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

I WAS ISSUED 15 HORRS FOR IRRIGATION S/DI -10/31 @.34 CFS
YOU HAVE ELIMINATED THIS ON YOUR PROPOSAL.

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

PLEASE ADD THE IRRIGATION WATER TO THE STOCK WATER
WE HAVE SPENT CONSIDERABLE MONEY REBUILDING

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

THE UPPER 1/2 MILE OF THE DITCH WHERE KERMIT WIGGINS
WAS ALLOWED TO TEAR IT UP. WE ARE NOW
REPLACING 100 YARDS OF CULVERT PIPE ACROSS OUR

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

NEIGHBOR'S LAND (WERNER). IT WOULD BE
UNFAIR TO TAKE AWAY THE IRRIGATION PORTION OF
OUR WATER RIGHT AFTER THE EXPENSE WE
HAVE INCURRED REPAIRING THE DITCH.

MIKE CASE
CJM Case 12/4/06

SEE ATTACHED WATER RIGHT.

11/14/2006

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

RECEIVED
DEC 07 2006
DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 67-4510
NAME AND ADDRESS: CARL M CASE
PO BOX 399
CAMBRIDGE ID 83610

JOANNE M CASE
PO BOX 399
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK TRIBUTARY: WEISER RIVER
QUANTITY: 0.060 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1922
POINT OF DIVERSION: T15N R03W S3 SWNE Within WASHINGTON County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	✓ STOCKWATER	01/01 12/31	0.060 CFS
PLACE OF USE:	<u>STOCKWATER in WASHINGTON County</u>		
	T15N R03W S14	NWNW	

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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
Stockwater use is for 250 range cattle.

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 67-4510
Date Received: 10/3/89
Receipt No: M004772
Received By:

COPY

FOR YOUR FILES
DO NOT RETURN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): CARL M CASE
PO BOX 399
CAMBRIDGE ID USA 83610

Phone: (208) 257-3911

JOANNE M CASE
PO BOX 399
CAMBRIDGE ID USA 83610

Phone: (208) 257-3911

2. Date of Priority: 01/01/1922

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	3	SW NE	WASHINGTON	

5. Description of diverting works:

HEADGATE, WEIR, AND DITCH FOR GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/31	0.34	
STOCKWATER	1/01	12/31	0.06	

7. Total Quantity Appropriated is:
0.4 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
15N	03W	14	NW NW NW NW		IRRIGATION STOCKWATER	15
					Section Acres	15
					Total Acres	15

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION WITHIN W 1/2 OF SWNE. WELL IS FOR DOMESTIC & STOCKWATER USES.
ASSUMED THAT RATE EXCEEDING 1" PER ACRE IS DUE TO DITCH LOSS
OWNERSHIP CHANGED BY LH 5/23/94
Ownership changed by DB 5/11/2001

15. Basis of Claim: Statutory Claim