

11/20/2006

**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: 12/13/2006

Water right number: 75-14009

BETH ANNE O'CONNOR WALLACE

11920 NARCISSUS RD

JACKSON CA 95642

Telephone Number: (209)296-3601

JEROLD W WALLACE

11920 NARCISSUS RD

JACKSON CA 95642

Telephone Number: (209)296-3601

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:

BETH ANNE O'CONNOR WALLACE

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: 11/26/06

SIGNATURE:

Jerold W. Wallace

Beth Anne O'Connor Wallace

Please print your name: JEROLD W WALLACE

BETH ANNE O'CONNOR
WALLACE

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED
DEC 12 2006

RECEIVED
DEC 11 2006
IDWR/North

11/20/2006

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

RIGHT NUMBER: 75-14009

NAME AND ADDRESS: BETH ANNE O CONNER WALLACE
11920 NARCISSUS RD
JACKSON CA 95642

JEROLD W WALLACE
11920 NARCISSUS RD
JACKSON CA 95642

SOURCE: SMOUT CREEK

TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.260 CFS
45.50 AFY

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/07/1940

POINT OF DIVERSION: T23N R23E S31 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.240 CFS 42.00 AFY
MITIGATION	04/01 11/01	0.020 CFS 3.50 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T23N R23E S31 SENW 12.00

MITIGATION same as IRRIGATION

12 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.

State

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within

Water District No. 75D.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Rights 75-14007 and 75-14009 are used for mitigation purposes for Right 75-14062 under Transfer approval 69672. The irrigation and mitigation uses described under these mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer.

Year 1 and beyond the diversion and use of water under the rights are limited to 0.48 cfs, 42.0 afa and 12.0 acres (1 acre left unirrigated).

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER	NAME AND ADDRESS	CLAIM DISPOSITION	REASON
75-13701	ROBERT FISHER C/O ALLEN & MARY FISHER PO BOX 1511 BELLEVUE ID 83313 JOEY FISHER C/O ALLEN & MARY FISHER PO BOX 1511 BELLEVUE ID 83313	Disallowed	No beneficial use found.
75-13702	DENNIS L HATCH 813 NEYMAN SALMON ID 83467	Disallowed	No lawful appropriation shown.
75-13703	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	Recommended as Right No. 75-13846.
75-13707	RICHARD IGLINSKY 209 BARRETT SPRINGS WAY CANTON GA 30115-4329	Disallowed	No beneficial use found.
75-13720	LORI A CARLSON PO BOX 1071 SALMON ID 83467 RICHARD A CARLSON PO BOX 1071 SALMON ID 83467	Disallowed	No beneficial use found.
75-13960	WILLIAM M SALO PO BOX 2405 SALMON ID 83467-2405	Disallowed	No lawful appropriation shown.
75-13965	ABNER KING 17 SUN LN SALMON ID 83467	Disallowed	
75-14011	BETH ANNE O CONNER WALLACE 11920 NARCISSUS RD JACKSON CA 95642 JEROLD W WALLACE 11920 NARCISSUS RD JACKSON CA 95642	Disallowed	Recommended as Right No. 75-14009.
75-14029	LLOYD A TUTOR 309 GRANITE ST SALMON ID 83467 SHERYL L TUTOR 309 GRANITE ST SALMON ID 83467	Disallowed	No beneficial use found.