

Peter M Riede
PO Box 220
Afton, WY 83110

Oct. 1, 2006

State of Idaho
Idaho Department of Water Resources
PO Box 83720
Boise ID 83707-9815

Right numbers: 24-4062
 24-4063
 24-4064
 24-4068B
 24-4069

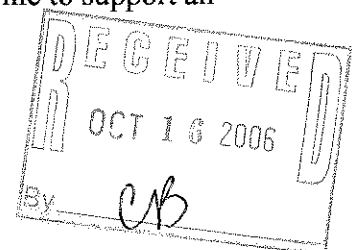
Sir:

Thank you for this opportunity to resolve questions on your water right recommendations. I commend you and the entire SRBA staff for all the effort you have put in on this adjudication process.

I have been told that the process involved determining the number of acres that were being serviced by each water right. Water was then allocated at a rate of .02 cfs per acre. The acreage was determined using mapping software and then multiplied by .02 to get the final quantity. If I do not have these facts straight, please correct me so that I can reevaluate these rights.

First, with respect to the Books Spring water rights-24-4062, 24-4069. In both case the water irrigates from the areas shown on your images all the way to Crow Creek and all along the creek. Therefore, 4062 and 4069 each need about 5 acres added to them. This will increase the quantity about .1cfs for each right. 24-4062 lists the source as Books Creek. That is a creek on the other side of Crow Creek. The proper designation is Books Spring as shown on right 24-4069.

The Crow Creek, Warm Creek water rights are numbers 24-4064 and 24-4068B. First it should be realized that these rights also use water out of Books Creek and it should be listed under source. The priority date listed for these to rights is 2-7 1927 and appears to be in error. The same date was used for the Nate water right 24-4068A. However the Alleman water right (24-10026) from the same source developed at the same time is 6/10/1916. The documentation in the water rights files also seems to me to support an



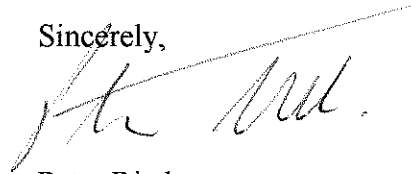
earlier date than 1927. In any case all of these rights should have the same date and that date should be 6/10/1916.

I also have to mention a discrepancy in the Alleman water right (24-10026). You show 29 acres of coverage. This should be a quantity of .58 cfs, not the .9 cfs you are approving.

Finally you have disallowed 24-4063 on the basis of no beneficial use. This water is used to irrigate a portion of our land. However, I would agree that it seems to be redundant to part of 24-4068B. Please insure that I have interpreted this correctly. If this right is in fact redundant to 24-4068B I have no problem with it being disallowed. Otherwise I must object and ask that it be approved.

Thank you for the consideration of my comments.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Peter Riede', with a long horizontal line extending from the end of the signature.

Peter Riede

09/13/2006

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:

Water right number: 24-4062

PETER M RIEDE
PO BOX 220
AFTON WY 83110-0220
Telephone Number: (307)886-9086

JUDITH M RIEDE
PO BOX 220
AFTON WY 83110-0220
Telephone Number: (307)886-9086

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

See Attached Letter

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:

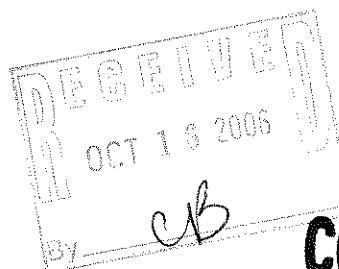
 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/11/06

SIGNATURE: Peter Riede

Please print your name: PETER RIEDE

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



COMPLETED
NOE 10/10 KMT

Notes

9/9/05 The 1957 imagery doesn't cover this area. The 1976 Orthoquad shows irrigation.

The 1951 TOPO map doesn't show a ditch. The ditch is very clear in the 1992 imagery.

Please adjust POU shape as shown on 1992 + 1987 Napp photography. The slope Bryce drew includes the ground that would be sub-irrigated by Crow Creek. The imagery shows a back channel from Crow Creek.

The 1992 imagery clearly shows the ditch surrounding the ground below the ditch.

This ground was patented by Seth Nield 2-13-1905.
A. Leslie Nite 8-4-1932.

No. of acres in new POU? 7.9 ac
Division rate too high for # of acres. why?

12-27-05 Sent Claimant change in address form PB

1-3-06 Received change in address PB

9-12-06 Evidence of priority from G. Harvey Kemington affidavit.

10/10/06 Corrected Source to Books Spring and added Stock remark for 100 range cows. EB

Notes

4-20-04 ownership change in the file. PB

10-21-04 Osresio's Ofc:

Peter M. Riode

PO Box 220

Afton, WY 83110-0220

12/10

See document timeline. BT

12-20-04 Claumont called. See email. BT

5-31-05 Put a copy of the plat, topo & ortho maps
in the file. PB

19 July 05 810 299 5070 bad phone # BAC
307 886 9086 Thurs AM. Afton, corner

Wyoing 238 - abandoned gas station,

Afton, turn right (west). Go 3 miles.

Road will curve right, I take sharp left
in middle of curve. Stay on that road,

turns into dirt. a 10 more mile

cattle guard. 1.1 miles past cattle

guard, cabin w/ Brown way on left.

~ 8:30 - 9:00 AM Thursday. BAC

21 BAC
20 July 05

Met w/ Peter & Judy Riode at ranch.

Priority Date Data Entry Form

Claim Number: A24-4062

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

affidavit from M. Harvey, Kennington
to say that the ditch was extended
to this place in "approx 1955"

Reviewer: CBDate: 9/9/05

Priority Date Data Entry Form

Claim Number.

A24-04062

Water Right Point of Diversion: T____ R____ Sec. _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____. County: _____

Source: _____ Tributary: _____

 Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
10S	45E	1		SE NW SE	Caribou	Books Spring
GPS Coordinates: Waypoint 1 2734309 E 1268400 N 200483						

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? A24-04069

Document how the POD and Source were verified and/or Pump and Motor data:

please see narrative Bac 30 July 05

Transfers Changing POD _____

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Purpose of Use Data Entry Form

Claim Number: A24-41062☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Irriigation was found on date of field exam. No stock were present but fences are adequate for stock. Pac 30 July 2005. Flow is adequate to support diversion rate appropriate for wild flood and ditch loss.

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number:

A24-04062☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10S	4SE	1	NWSE		Carbon		13.0	irrigation
"	"	"	"	"	"			Stockwater

Total Acres _____

Document how the POU was verified:

GPS Waypoint 2 marks NE extent of ditch, water flows East-southeast from ditch to creek. GIS Shapefile "A24-04062.shp" based on field inspection, GPS point and 1987 aerial photo. Bac 30 Jul 05

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: A24-4062☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	5/15	10/31		
Stock	5/15	11/1	0.05	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Claim No.: A24-4062

[illegible]

1) Field summary (1 page), 2) Photos (2 pages) 3) Map (1 page)
Bac 30 July 05

Reviewer _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

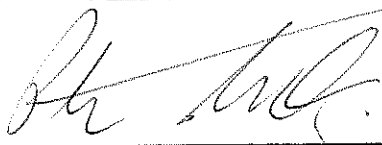
[] Water Right Number(s): A24-4062, A24-4064
A24-4068B, A24-4069

[] Name(s): Peter M. & Judith M. Riede

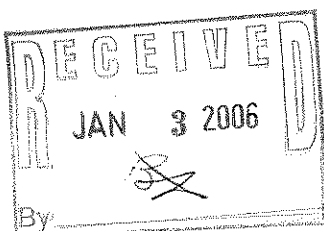
[] Old Mailing Address: 3920 Ellamae
Oakland, MI 48363

[] New Mailing Address: PO Box 220
AFTON, WY
83110

Telephone Number: (307) 886 - 9086

[] Signature(s) of Owner(s) 
Judith M. Riede
(Include your title if on behalf of company or organization)

Date: Dec. 30, 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COPY

Peter M. Riede
PO Box 220
Afton, WY 83110

December 27, 2005

REF: Snake River Basin Adjudication (SRBA)
Claim No(s): 24-4062, 24-4064, 24-4068B, 24-4069

Subject: Change in Address

Response Date: January 9, 2006

Dear Claimant(s),

According to Caribou County Assessor's Office your address is in Afton, Wyoming, our records still show your address at 3920 Ellamae, Oakland, MI. Before we can modify our records to reflect the change we need the change in address form completed and returned to our office.

If you have any questions please feel free to contact me at 547-3993.

Respectfully,

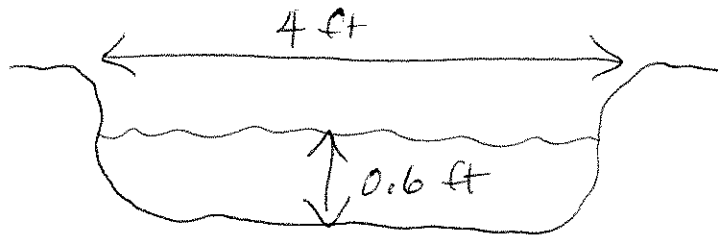
Pauline Bassett

Enclosure: change in address form

Field Exam Narrative, A24-04062, A24-04069
B. Contor, 30 July 2005

On 21 July 2005 I met with claimants Peter and Judy Riede, walked the place of use and examined maps. I took a GPS reading and approximate flow measurements at the POD.

1. Place of Use. The place of use is entirely on the north west side of Crow Creek; there is no flume to carry water across the creek. Shapefile A24-04062 shows 13.0 acres of irrigation and shapefile A24-04069 shows 5.0 acres. There is no POU overlap, these are in adjacent QQ sections.
2. POD. These water rights share a point of diversion from a human-made pond at Books Spring. Neither claim mentions the pond. The POD is at waypoint 1, 2734309E 1268400N IDTM83, site tag A0013647. *See A24-04062 for photos.*
3. Quantity. The sketch below illustrates the cross-section of flow at the POD. The approximate velocity (from roll-up on the measuring stick) was 3.5 ft/second. Cross-section $\sim 2.4 \text{ ft}^2$, $Q \sim (3.5 \text{ ft/s} \times 2.4 \text{ ft}^2 \sim 8.4 \text{ ft}^3/\text{s})$. Additional flow was leaving the pond through an overflow ditch to the creek. While this is excessive flow for the acreage, the POU is adjacent to the creek and all runoff returns immediately to the creek so there is no possibility of causing injury.



4. Contact log. Please see A24-04062 for contact log and sketch map for all Riede claims.

Byron A. Contor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Albert L. Nate (Name of Claimant)

c/o Robert L. Nate, 385 Shelley Ave. Shelley Id Telephone No. 357-7259
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1955

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Book Spring tributary to Crow Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>2.80cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5/15</u>	To <u>11/1</u>
Quantity	<u>0.03cfs</u>	Use <u>Stock</u>	Period of Use From <u>5/15</u>	To <u>11/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 2.80cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 SW 1/4, Sec. 1 Twp. 10S Rge. 45E B.M., County of Caribou

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Ditch from spring and flood irrigation

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
10S	45E	1													20				20

No. of acres 20

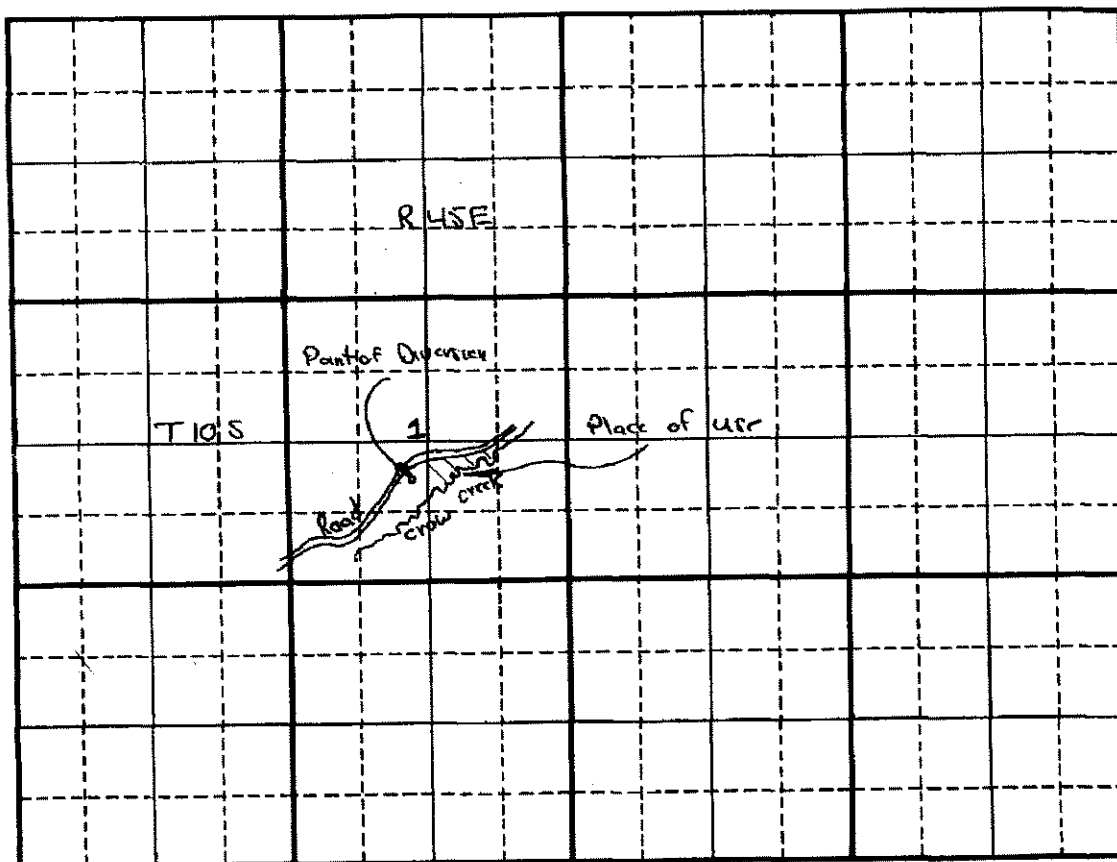
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 50 to 100 head of beef cattle

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Sevier) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 30 day of March, 1982.

Albert Leslie Natch
(Claimant)

Thomas Lee Nelson
Notary Public
Residing at Montpelier, Idaho

My commission expires Apr

Assisted by HWT
Received by CW Date 4/21/82
Prelim. check by Kes Date 4/1/82
\$20.00 fee received by CW Date 4-1-82
Published in Caribou County Record #2087
Dates 4-1-82 4-22-82

FOR DEPARTMENT USE ONLY

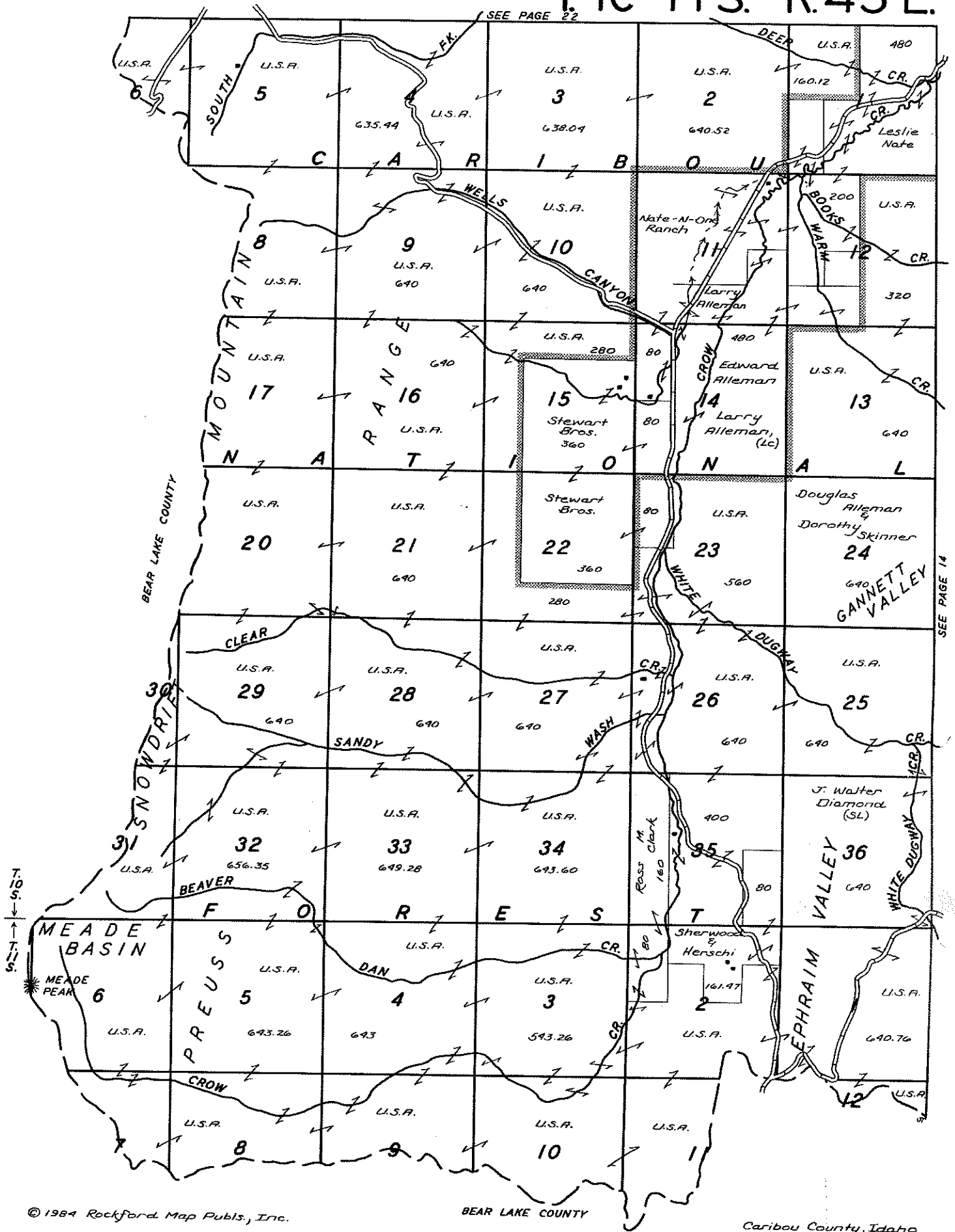
Exception filed by:

Forwarded to
claimant by:

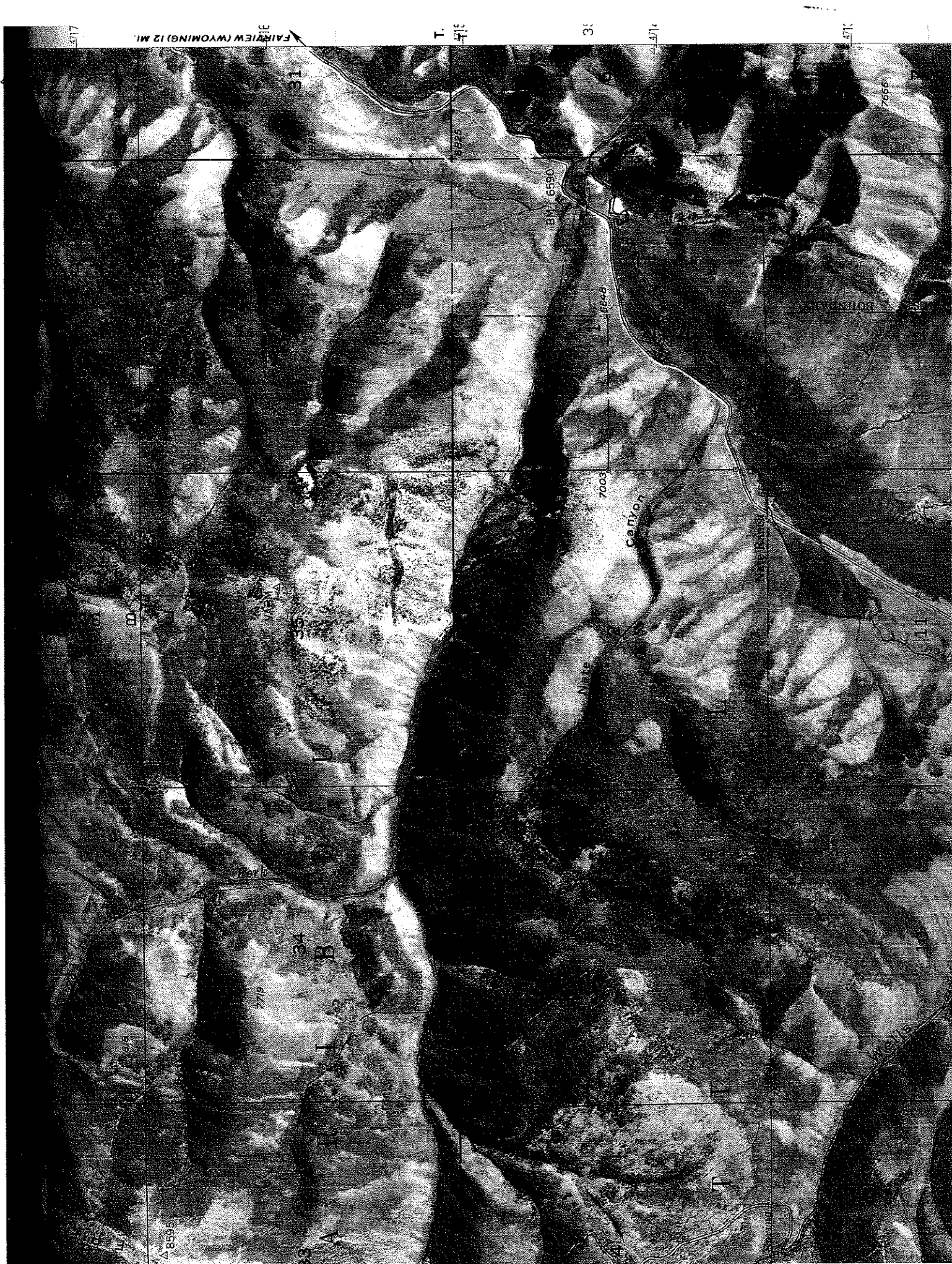
Date

MICROFILMED

SEE PAGE 22



SEE PAGE 14



Bird, Cindy

From: Rounds, Lewis
Sent: Monday, December 20, 2004 9:08 AM
To: Bird, Cindy
Subject: Pete Riede

Cindy,

I received a call from a Mr. Riede today because he was concerned about his water rights. I looked them up and he has WR numbers:

24-4062

24-4063

24-4064

24-4068

24-4069

His concern was that he had not received any notification about his water rights even though everyone else on the creek has. He left a phone number 307-886-9086. If you could call him and tell him what is up that would be good, if you would like to tell me and have me get back to him, that is OK also. I could not find anything wrong with his WR's and explained to him that you probably just have not got to his name yet.

Thanks,

Lewis Rounds
Dam Safety Section / WD 120 Watermaster
Idaho Department of Water Resources
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402
(208) 525-7161

Peter Riede

statutory claims

12-20-04

*called Riede. Assured her the claims have
not slipped thru the cracks. If we need
more info, we will contact them. BP*