

RECEIVED

JUL 06 2005

Department of Water Resources
Eastern Region

01/20/2005

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: 22-4077

GARRY L LERWILL

250 N 800 W

TETONIA ID 83452

Telephone Number: (208)456-2579

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

We object to place of use

We object to amount of CFS

We object to total Acres and limited irrigation acres per season

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

** See conservation map dated 8-81 showing irrigation acreage. We need water from Snake Creek to be used where we need it year by year. The area outlined has underground main line which we use where needed according to our planting that year, and as water supply is adequate.*

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

Does not cover enough acres

" " list enough water

Some years there is enough water to cover more acres

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

DATE: 6-15-05

SIGNATURE: Garry Lerwill

Please print your name: Verna Lerwill

VERNA LERWILL

IDWR Regional Office,

** See copy of enclosed water right place of use.*

10/28/05 Garry and Mrs. Lerwill went in to discuss this recommendation and also Lic 22-2167 (No SRBA claim).

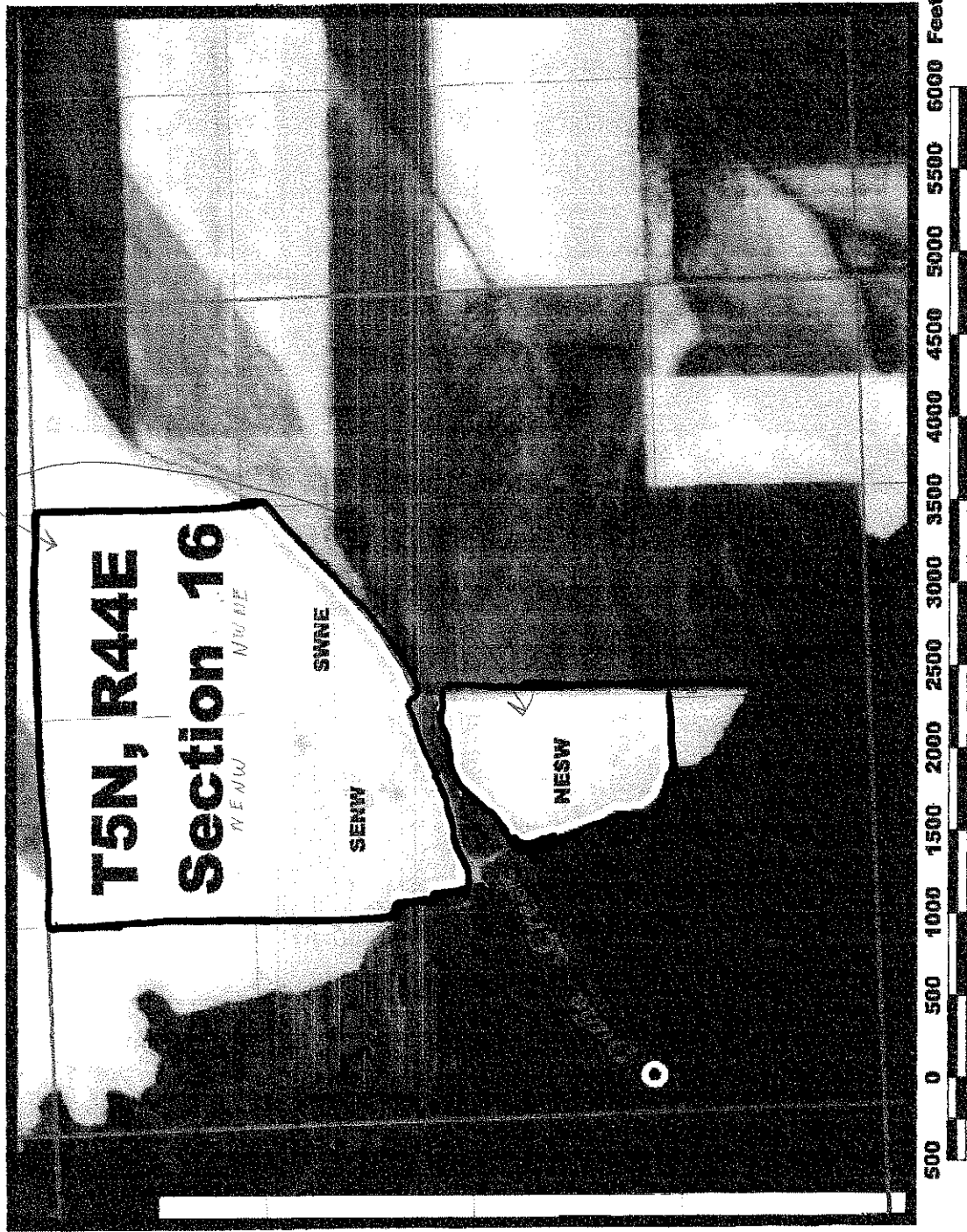


State of Idaho

Department of Water Resources

Eastern Region

*Truncated at
acres 1000 ft
1000 ft*



Water Right(s):
22-04077

Point(s) of Diversion:
T5N, R44E
Sec. 16 SWNWSW

Place of Use: (parts of)
T5N, R44E Sec. 16
SENE, NESW, SWNE

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Rubery
Date: January 2005

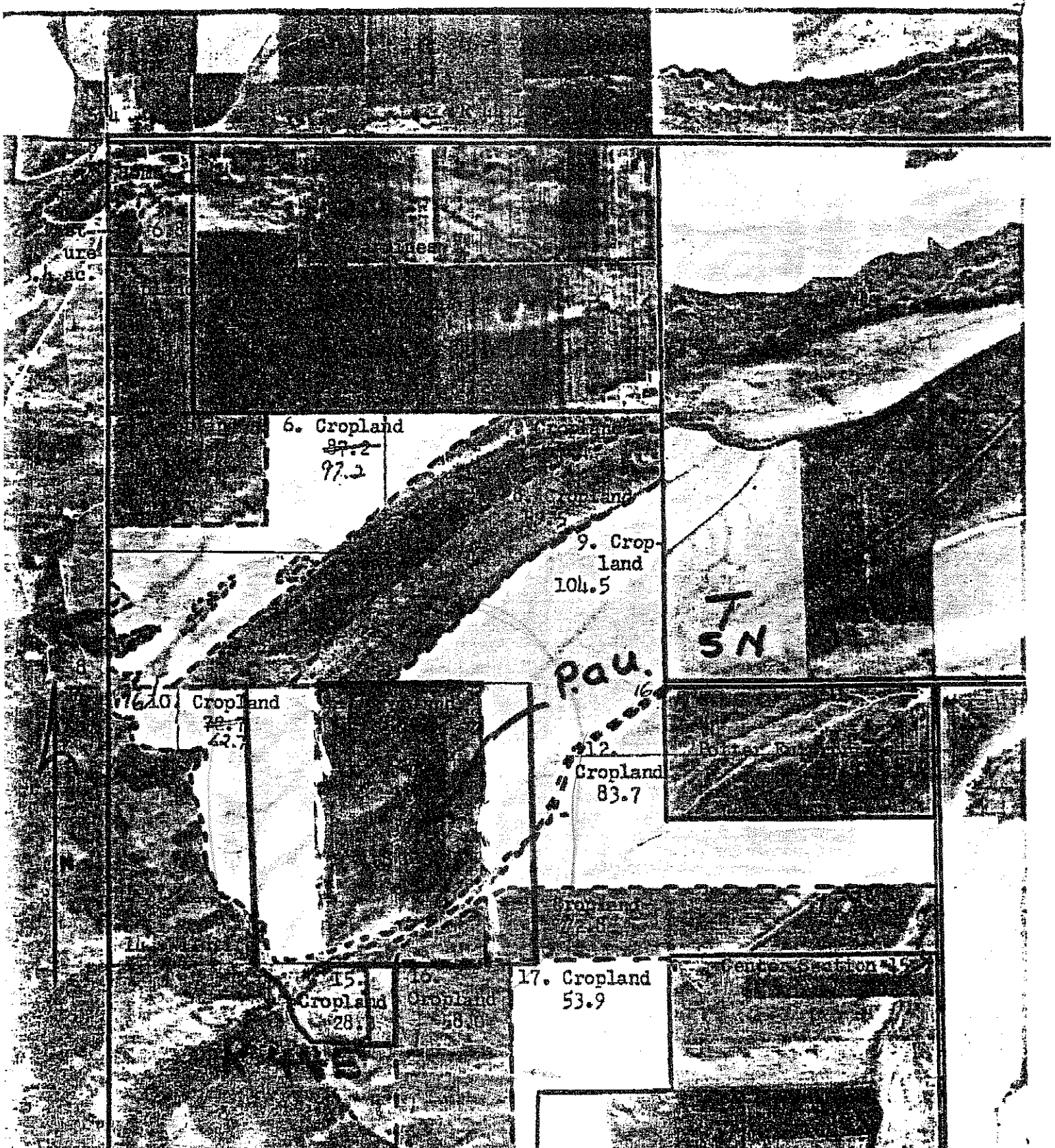


CONSERVATION PLAN MAP

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

A22-04077

Owner Garry Lerwill Operator same
County Teton State Idaho Date 8-81
Approximate acres 104.5 Approximate scale 4" = 1 mile
Cooperating with Teton Soil Conservation District
Plan identification _____ Photo number _____
Assisted by Steve Smart USDA Soil Conservation Service



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: A22-04077
Date Received: 9/21/1988
Receipt No: E002893
Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NANCY OSGOOD
Address:

TETONIA, ID 83452

OR

Name: GARRY LERWILL

208-456-2579

Address: 891 W. 400 N. PACKSADDLE RD.
TETONIA, ID 83452

2. Date of Priority: JUN 01, 1945

3. Source: DUDE CREEK

Trib. to: HORSESHOE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	44E	16	NW	SW			TETON

5. Description of diverting works:
HEADGATE, PIPELINE, HANDLINES & PORTABLE DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/01	3.760		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
3.760 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 376.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/25-75 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	44E	16	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	10.0
Section Acres						170.0
Total Acres						170.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

APPLICANT LERWILL OWNS THE WEST HALF OF THE NORTH EAST QUARTER
AND LEASES THE REST FROM NANCY OSGOOD.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number: 224077

*Lerwill purchased the
remainder of property with
water rights from Nancy Osgood.
May 15, 1990. See copy of
WARRANTY DEED.*

WARRANTY DEED

THIS INDENTURE, Made this 15th day of May, 1990, between NANCY M. OSGOOD, a single woman, of 2903 Westwood Road, Minnetonka Beach, Minnesota 55361, the party of the first part, and GARRY L. LERWILL and VERNA J. LERWILL, husband and wife, of 891 West 400 North, Teton, ID 83452, the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration to her in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said parties of the second part, and their heirs and assigns, forever, all the following described real estate, situated in Teton County, State of Idaho, to-wit:

Township 5 North, Range 44 East, Boise Meridian,
Teton County, Idaho

Section 16:

Tract 1: W1/2SW1/4NW1/4; E1/2NW1/4; NE1/4SW1/4

Tract 2: E1/2W1/2 NW1/4; W1/2SW1/4; SE1/4SW1/4

Subject to easements, if any, of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Subject to the effects, conditions and reservations of all property acquired by Seller from the State of Idaho.

Together with any and all other water and water rights, ditch and ditch rights appurtenant thereto.