

*Timberlands
Consent*

08/18/2006

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: September 22, 2006

Water right number: 79-13965

CLARICE RAD

~~RT 3 BOX 108~~ *413 Monastery Rd*

COTTONWOOD ID 83522

Telephone Number: (208)962-3843

ALBERT L RAD

~~RT 3 BOX 108~~ *"*

COTTONWOOD ID 83522

Telephone Number: (208)962-3843

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:

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: 9-12-06

SIGNATURE: Albert L Rad

Please print your name: ALBERT L RAD

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

*Address changed
9-19-06*

12/20/2004

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

RIGHT NUMBER: 79-13965

NAME AND ADDRESS: CLARICE RAD
RT 3 BOX 108
COTTONWOOD ID 83522

ALBERT L RAD
RT 3 BOX 108
COTTONWOOD ID 83522

SOURCE: SPRING
TELCHER CREEK
UNNAMED STREAM

TRIBUTARY: TELCHER CREEK
TRIBUTARY: SALMON RIVER
TRIBUTARY: TELCHER CREEK

QUANTITY: 0.030 CFS

The quantity of water under this right for in stream stockwater use shall not exceed 0.02 cfs.

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1897

POINT OF DIVERSION:

T31N R01W S16 SWNESE Begin of Stream Flow Within IDAHO County
T31N R01W S16 NESESE End of Stream Flow Within IDAHO County
T31N R01W S21 SESWNE Within IDAHO County
T31N R01W S21 SWNWSE Begin of Stream Flow Within IDAHO County
T31N R01W S21 SENWSE Within IDAHO County
T31N R01W S22 NENWNW Begin of Stream Flow Within IDAHO County
T31N R01W S22 NESWNW End of Stream Flow Within IDAHO County
T31N R01W S22 SWSWNW End of Stream Flow Within IDAHO County
T31N R01W S22 NESENW Begin of Stream Flow Within IDAHO County
T31N R01W S22 SWSENW End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.030 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R01W S16	NESE	T31N R01W S16	SESE
T31N R01W S21	SWNE	T31N R01W S21	NESE
T31N R01W S21	NWSE	T31N R01W S22	NWNW
T31N R01W S22	SWNW	T31N R01W S22	SENW
T31N R01W S22	NWSW		

12/20/2004

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

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.

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

EXPLANATORY MATERIAL: Beneficial Use

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: **A79-13965**
Date Received: 10/ 8/1999
Receipt No: W025807
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ALBERT L RAD 208-962-3843
Address: RT 3 BOX 108
COTTONWOOD ID 83522
OR
Name: CLARICE RAD 208-962-3843
Address: RT 3 BOX 108
COTTONWOOD ID 83522

2. Date of Priority: JAN 1, 1897

3. Source: SPRINGS Trib. to: TELCHER CREEK
UNNAMED STREAMS TELCHER CREEK
TELCHER CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
31N	01W	21	SE	SW	NE ✓		IDAHO
			SE	NW	SE ✓		IDAHO

Beginning Point of Instream Flow

31N	01W	16	SW	NE	SE ✓	IDAHO
31N	01W	21	SW	NW	SE	IDAHO
31N	01W	22	NE	NW	NW ✓	IDAHO
31N	01W	22	NE	SE	NW	IDAHO

Ending Point of Instream Flow

31N	01W	16	NE	SE	SE ✓	IDAHO
31N	01W	22	NE	SW	NW ✓	IDAHO
31N	01W	22	SW	SW	NW	IDAHO
31N	01W	22	SW	SE	NW	IDAHO

5. Description of diverting works:

SPRINGS W/TROUGHS & UNN. STREAMS & TELCHER CREEK - INSTREAM STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 75-100 HD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
31N	01W	16	NE		SE		STOCK	
			SE		SE		STOCK	
		21	SW		NE		STOCK	
			NE		SE		STOCK	
			NW		SE		STOCK	
		22	NW		NW		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
			NW		SW		STOCK	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A79-13965
Date Received: ~~8/2/1999~~ 10/8/99
Receipt No: W025807
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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COTTONWOOD ID 83522

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			SE	NW	SE		IDAHO

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31N	01W	21	SW	NW	SE	IDAHO
31N	01W	22	NE	NW	NW	IDAHO
31N	01W	22	NE	SE	NW	IDAHO

Ending Point of Instream Flow

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			SE	SE		STOCK	
		21	SW	NE		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	
		22	NW	NW		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	
			NW	SW		STOCK	

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Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Albert L Rad Date: 10-8-99
Charice Rad Date: 10-8-99

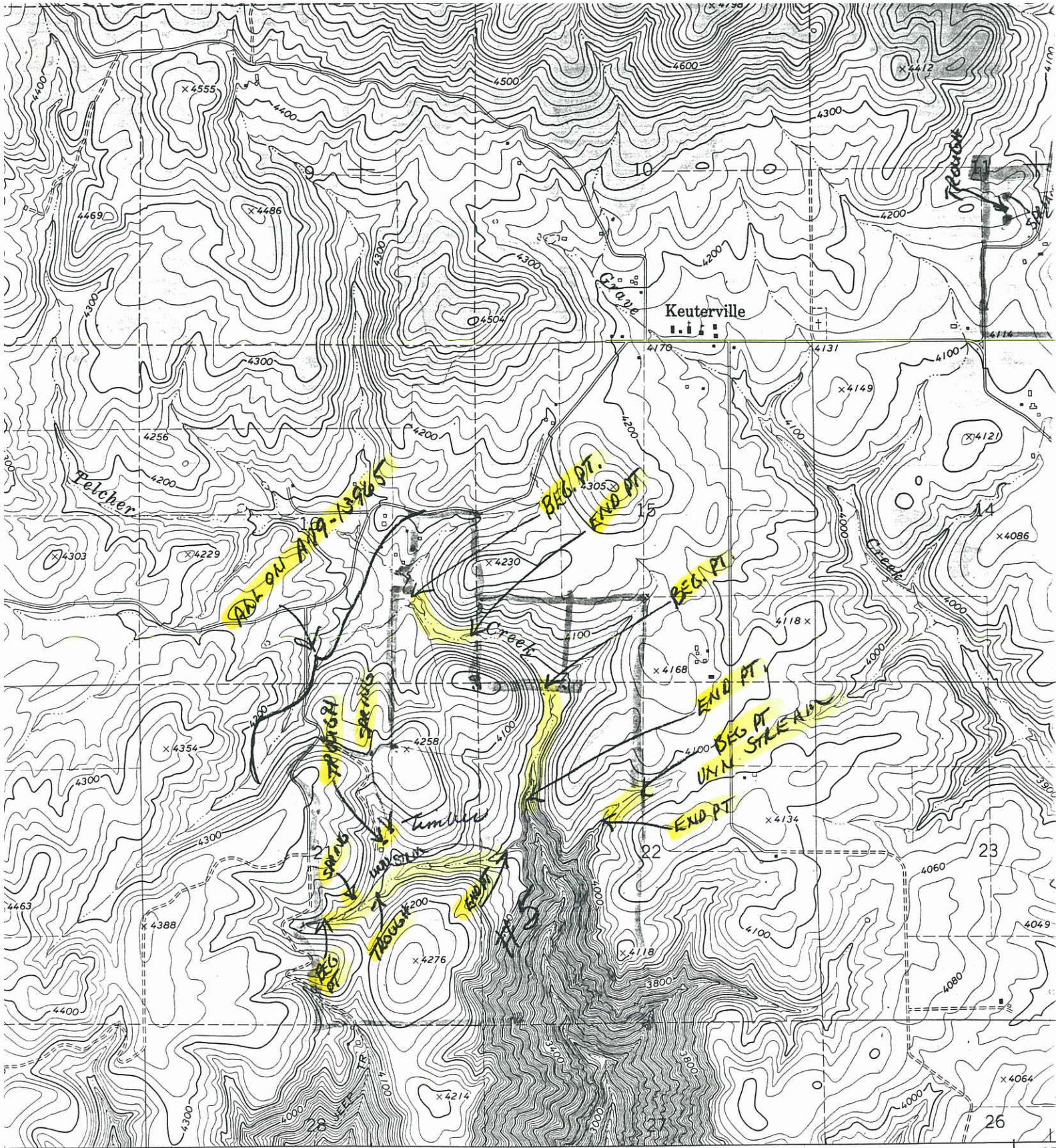
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of Oct 19 99

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 2000



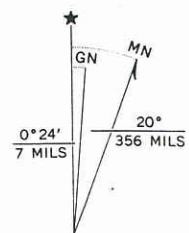
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aerial
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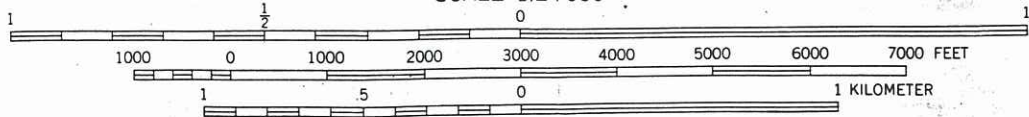
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UTM GRID AND 1967 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 20 FEET
DATUM IS MEAN SEA LEVEL

(MOUGHMER POINT)
2775 IV NW
SCALE 1:24 000

Photo No. F-12b (264B) Township 31N Range 1E Section 9-10

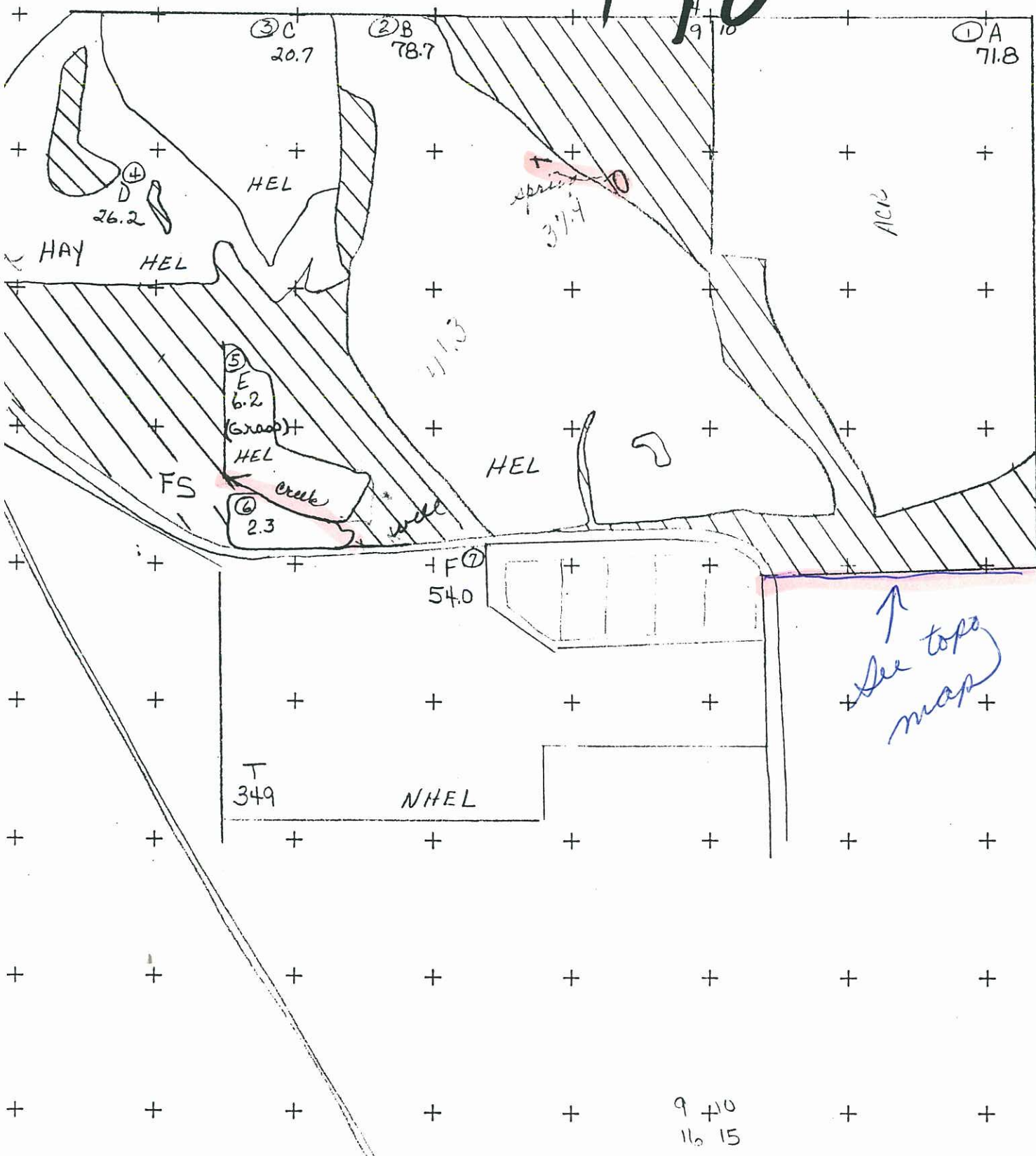
OPERATOR AL RAD OWNER Same

ID No. R. Schindler ID No. _____

Farmland 335
Cropland 259.9

1988 #1

(CROPPED
181-185)



County, Idaho

#5

FARM TRACT MAP

T350

FSN 1450

1995

Year

No. C-12 (266B)

Township 31N

Range 1W

Section 15-16-21-22

ATOR KENT RAD

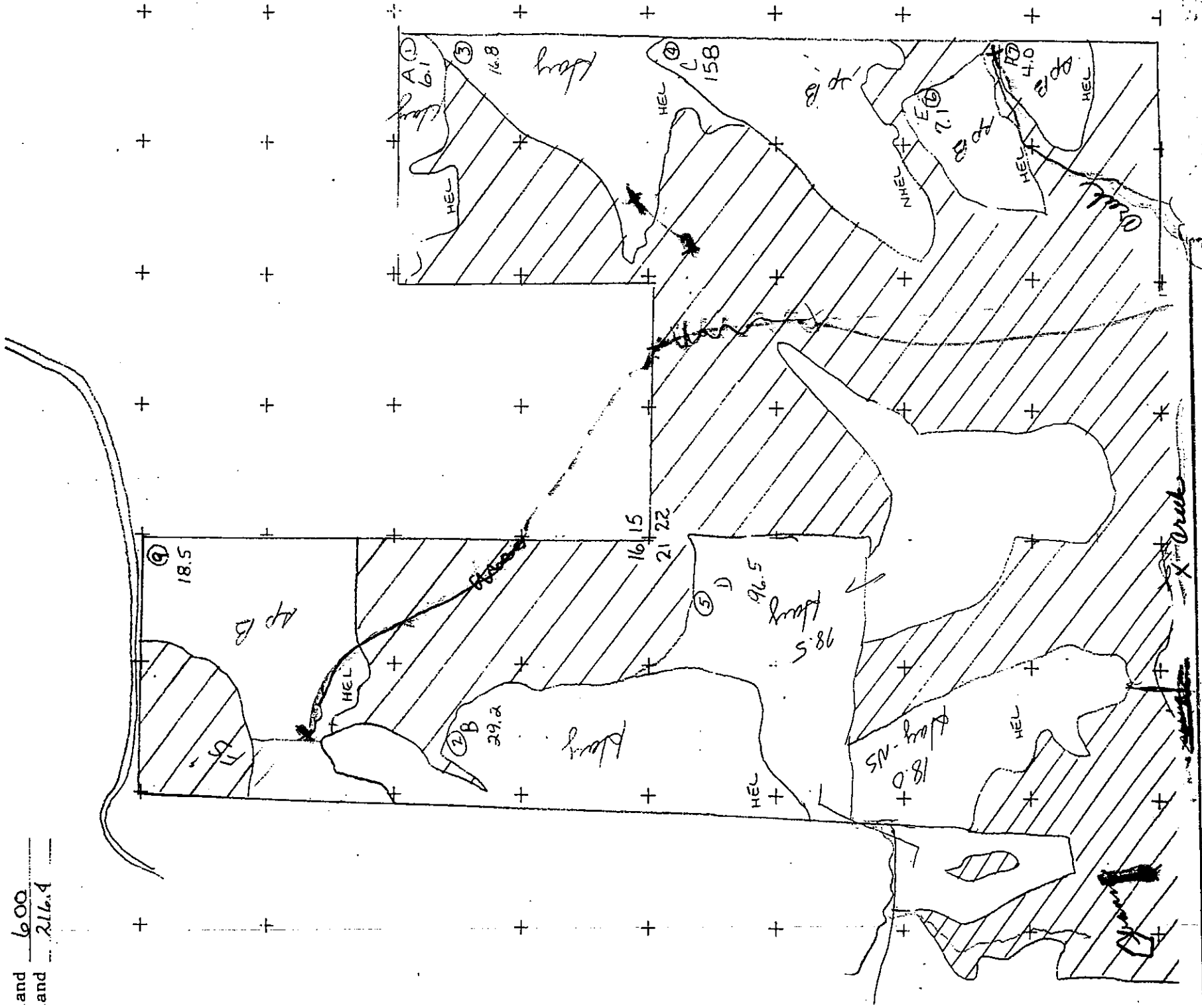
OWNER

AL RAD

ID No.

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and 600
and 216.4



Orule