

AUG 30 2006

08/18/2006 DEPARTMENT OF
WATER RESOURCESNOTICE 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: 79-14111

ELAINE CREA
33 GULCH RD
GRANGEVILLE ID 83530
Telephone Number: (208)962-7112

GARY CREA
33 GULCH RD
GRANGEVILLE ID 83530
Telephone Number: (208)962-7112

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:

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

DATE: 8-26-06

SIGNATURE: Gary Crea

Please print your name: Gary Crea

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

11/17/2005

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

RIGHT NUMBER: 79-14111
NAME AND ADDRESS: ELAINE CREA
33 GULCH RD
GRANGEVILLE ID 83530

GARY CREA
33 GULCH RD
GRANGEVILLE ID 83530

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 03/26/1992

POINT OF DIVERSION:

T31N R01E S27 NWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R01E S27 NWSW

DOMESTIC Within IDAHO County

T31N R01E S27 NWSW

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: BASIS OF CLAIM - Beneficial Use

RECEIVED

NOV 04 2005

DEPARTMENT OF
WATER RESOURCES

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 79-14111
Date Received:
Receipt No: C76456
Received By:

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

1. Name of Claimant(s)

ELAINE CREA Phone: (208)962-7112

33 GULCH RD
GRANGEVILLE ID USA 83530

GARY CREA Phone: (208)962-7112

33 GULCH RD
GRANGEVILLE ID USA 83530

2. Date of Priority: 03/26/1992

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
31N	01E	27	NW SW	IDAHO	

5. Description of diverting works:

Well 8 inches by 495 feet deep.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 300 Cows

Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
31N	01E	27	NW	SW	DOMESTIC	
			NW	SW	STOCKWATER	

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:

14. Remarks:

Field Report for Well Construction Permit 744953 documents diversion of water.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

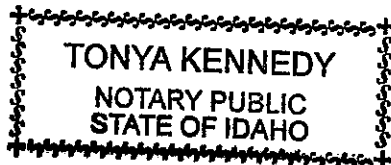
For Individuals:

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

Signature of Claimant(s): *Gary Crea* Date: 11-1-05
Glenn L. Crea Date: 11/1/05

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 1st of November 2005



Tonya Kennedy
Notary Public

Residing at Idaho

My commission Expires 3/31/06

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

Identification No. 79-14111Date Received 1-18-05Receipt Number C076456

RECEIVED
JAN 18 2005
DEPARTMENT OF
WATER RESOURCES

DE by CF

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

RECEIVED
FEB 23 2005
Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Gary & Elaine Crea Phone (208) 962-7112Mailing Address Rt. 1 Box 206, Grangeville Zip 835302. Date of Priority (Only one per claim) 1-10-05 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) wellwhich is tributary to (b) Bowman's Gulch Name or kind of source4. Location of point of diversion is: Township 31 N Range 1 ESection 27, NW 1/2 1/4 of SW 1/4 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of Idaho

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well 8" 495 deep

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1-1 to 12-31 amount 20 (cfs)

For stockwater purposes from 1-1 to 12-31 amount 20 (Both dates are inclusive)

7. Total quantity claimed 20,40 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic 1 household stockwater 300 cows

SCANNED

FEB 24 2005

10. Place of use is: Township: 31 N Range 1 E
Section 27, NW 1/4 ^{SW 1/4} 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Idaho
12. Do you own the property listed above as place of use? Yes ☒ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Gary Crea Date 1-12-05
Cheryl L. Crea Date 1-12-05

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

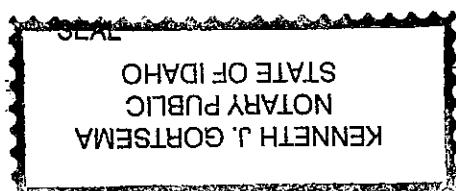
Title and Organization _____

State of Idaho/or _____)

County of _____) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 12th day of January 15 2005



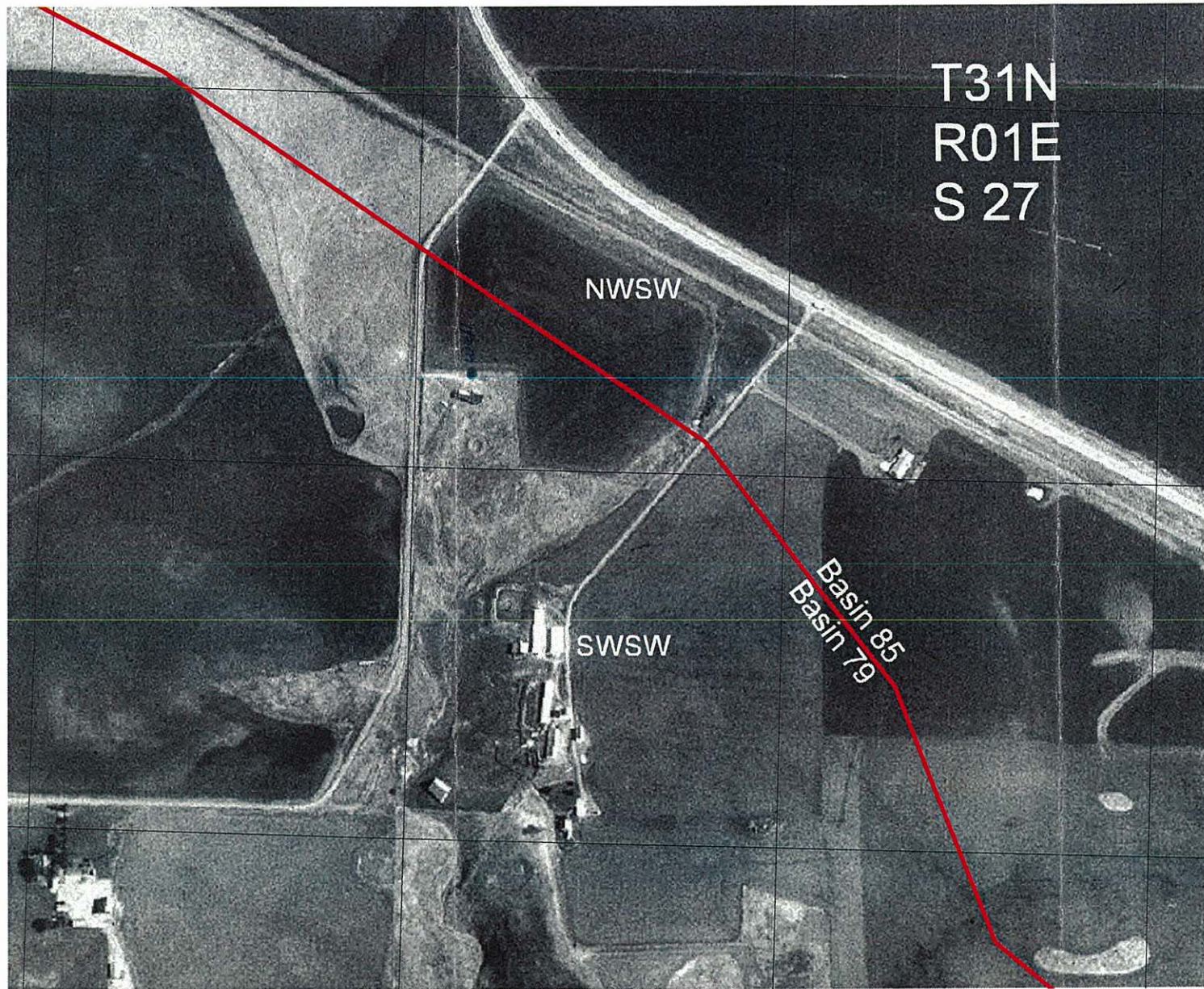
Notary Public Kenneth J. Gortsema
Residing at Grangeville, Idaho
My Commission Expires 3-15-05

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant
SCANNED

FEB 24 2005

T32N R04E S32



SCANNED
FEB 24 2005



500 0 500 1000 1500 2000 2500 Feet

A scale bar with alternating black and white segments, corresponding to the distances marked above it: 500, 0, 500, 1000, 1500, 2000, and 2500 feet.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 26, 2005

GARY AND ELAINE CREA
33 GULCH RD
GRANGEVILLE ID 83530

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #79-14111

Dear Mr. and Mrs. Crea:

Working further with your claim for the house, I found the property and well lie south of the ridge and in Basin 79 where the surface water flows down Bowmans Gulch and to Rock Creek that are in Basin 79. Basin 85 north of the ridge and where the other recent claims are located is part of the Clearwater drainage. I have enclosed a map of sorts illustrating this basin business.

I have enclosed a suggested amended claim form to submit. Please note the priority date corresponds to what you told me and to the enclosed Field Inspection Report (Const End Date). The amount of water is changed to move the decimal point where .04 cfs is effectively 20 gallons per minute, again as the Field Inspection Report shows. If you are satisfied with this amended claim, please sign it in front of a Notary Public and return to this office. You may want to keep a copy for your records.

Mr. Givens has been advised to withdraw his Motion to File a Late Claim since IDWR has not reported Basin 79 to the Court yet, but will in the near future. The Court's permission is not necessary for a Basin 79 claim. The same claim document was received at IDWR on January 18, 2005, as you may know, and assigned 79-14111.

Please call me if you have any questions. Thank you for your patience and assistance.

Sincerely,

Donald V. Shaff, MPA
Manager, Adjudication Technical Section

DVS:ss:state

Enclosures:

Map

Field Inspection Report

Amended Claim to a Water Right #79-14111

C: James Givens

RECEIVED
OCT 31 2005
IDWR/North

SCANNED
OCT 26 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 7, 2005

+79 1411

3C LLC AND
GARY AND ELAINE CREA
RT 1 BOX 20G
GRANGEVILLE ID 83530

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right – Idaho County
Claim Nos. 85-15520, 85-15530 and 85-15531

Dear Mr. and Mrs. Crea:

We are returning the four Notices of Claim to a Water Right you filed for your property in Idaho County because we need your assistance before we can continue. We have also enclosed your receipts #C076455 (3C LLC) and C076456 (Gary and Elaine Crea) for the filing fees you paid. Please keep the receipts for your records.

Gary and Elaine Crea Claim:

We need to determine which administrative basin this claim is in. I have enclosed an aerial photo of the W1/2 SW1/4 Township 31N Range 1E Section 27. Please mark where your Point of Diversion and Place of Use are located and return the claim and the map to my attention.

3C LLC Claims:

These three claims are in Basin 85, and each has a claimed priority date of 1-10-05. If your priority date is 1-10-~~2005~~, an Application for Permit will be required before a water right can be recommended. I have enclosed an Application for Permit for your possible use. The filing fees you paid will be applied to the fees due with the Application for Permit.

Conversely, if your claimed priority date is earlier than 1-10-2005, please write in the complete date on each claim, initial your change and sign the claims again in front of a Notary Public.

On Claim #85-15531, please also circle the basis at Item #15.

Since the Department has already completed reviewing water right claims in Basin 85, you will need to file a Motion to File Late Claim with the Court for each claim.

SCANNED

MAR - 7 2005

3C LLC and
Gary and Elaine Crea
February 7, 2005
Page 2 of 2

If you choose to pursue filing late claims, we have assigned claim identification numbers and entered them on the Court's Standard Form 4, your motions to file the late claims. You will have to contact the Court to obtain a hearing date (page 3) as part of the form. Upon completion, please mail these forms to the *Snake River Basin Adjudication Court in Twin Falls* at your earliest convenience.

If you have any questions regarding this matter, please feel free to contact this office at any time. Thank you for your patience and cooperation.

Please call me at 208/287-4917 if you have any questions or concerns.

Sincerely,



Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CLF:ss:state
Enclosures:

- (4) Incomplete Original Notices of Claim to a Water Right
Receipts #C075455 and C075456
- Copy (for the Court) of Receipt #C076455
- Application for Permit
- (3) Standard Form 4

SCANNED

MAR - 7 2005