

11/15/2006

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: December 8, 2006

Water right number: 78-12104

JOHN WAYNE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044
Telephone Number: (208)347-2714

KAREN ALICE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044
Telephone Number: (208)347-2714

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: 12/07/06 SIGNATURE: John W. Brees
Please print your name: JOHN W. BREES

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

09/20/2006

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

RIGHT NUMBER: 78-12104

NAME AND ADDRESS: JOHN WAYNE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044

KAREN ALICE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.022 CFS

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

PRIORITY DATE: 07/17/1996

POINT OF DIVERSION:

T20N R01E S14 SESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.022 CFS

PLACE OF USE: DOMESTIC Within ADAMS County

T20N R01E S14 SESE

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
PARCEL NO. RP 20N01E149100A

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: **A78-12104**
Date Received: 3/ 9/1999
Receipt No: W024877
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN WAYNE BREES 208-347-2714
Address: PO BOX 105
NEW MEADOWS ID 83654
OR
Name: KAREN ALICE BREES 208-347-2714
Address: PO BOX 105
NEW MEADOWS ID 83654

2. Date of Priority: JUL 17, 1996

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	01E	14	SW	SE	SE		ADAMS

5. Description of diverting works:
WELL, 6" CASING, 180', 1HP SUBMERSIBLE PUMP, PIPE TO HOUSE & BARN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.022		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME, STOCKWATER, CATTLE, HORSES, IRRIGATE LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	14	SE	SE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

PARCEL NO. RP 20N01E149100A

15. Basis of Claim: BENEFICIAL USE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A78-12104
Date Received 3-9-99
Receipt Number W024877NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAR 09 1999

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) John Wayne Brees or Phone (208) 347-2714
Karen Alice Brees
Mailing Address P.O. Box 105 New Meadows ID Zip 83654
- Date of Priority (Only one per claim) 7/17/96 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 20 N Range 1 E
Section 14, SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
County of Adams Parcel Number
RP 20N01E149100 A
Additional points of diversion if any: _____
- 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 6 in. casing, 180 ft. deep,
1 h.p. submersible pump. pipe to house
pipe to barn
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.022 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.022 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic, 1 home, stockwater
cattle, horses, irrigate lawn, landscaping

10. Place of use is: Township: 20 N Range 1 E
Section 14, SE 1/4 of SE 1/4, Govt. Lot , B.M.,
parcel number RP 20N01E 149100A

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? Adams

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) *Jean A. Brees* Date 3/5/99
Karen A. Brees Date 3/5/99

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

of , that I have signed the foregoing

document in the space below as of

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 Adams) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of March 1999

SEAL

Notary Public *Patricia A. Holm*

Residing at New Hingham

My Commission Expires 10-23-99

Last Name HOLM Ident No.

Copies: White-State, Yellow-Claimant