

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: 78-12105

ROBERT J CULLEY
1406 CHERRY ST
CALDWELL ID 83605
Telephone Number: (208)454-3476

GEORGE R WITTENBORN
1406 CHERRY ST
CALDWELL ID 83605
Telephone Number: (208)454-3476

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: Nov 27-06 SIGNATURE: Robert J. Culley
Please print your name: Robert J. Culley

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: 78-12105

NAME AND ADDRESS: ROBERT J CULLEY
1406 CHERRY ST
CALDWELL ID 83605

GEORGE R WITTENBORN
1406 CHERRY ST
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS

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

PRIORITY DATE: 12/27/1995

POINT OF DIVERSION:

T20N R01E S35 SENE 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	0.070 CFS

PLACE OF USE: DOMESTIC Within ADAMS County

T20N R01E S35 SENE

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

Property is also known as Lot 1, Blk 3, Granite View Subdivision.

FORWARD WHITE COPY TO 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: **A78-12105**
Date Received: 6/ 3/1999
Receipt No: W025278
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT J CULLEY
Address: 1406 CHERRY ST
CALDWELL ID 83605
OR
Name: GEORGE R WITTENBORN
Address: 1406 CHERRY ST
CALDWELL ID 83605
208-454-3476
208-454-3476
2. Date of Priority: DEC 15, 1995
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	35		SE	NE		ADAMS
5. Description of diverting works:
175' WELL, 8" CASING
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.070		
7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	35	SE	NE		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:

PROPERTY ALSO KNOWN AS LOT 1, BLK 3, GRANITE VIEW SUBDIVISION.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS APR 29 1996IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39078 Department of Water Resources

Identification No. A18-12105
Date Received 4-29-96 6-3-1999
Receipt Number 6035418 W025278NOTICE OF CLAIM
TO A
WATER RIGHTREFUNDED
1996
RECEIVED

MAY 08 1996

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) Robert J. Colley or George R. Wilburn Phone (208) 454-3476
Mailing Address 1406 CHERRY ST Caldwell IDA Zip 83605
- Date of Priority (Only one per claim) Dec 15 1995 Month/Day/Year
- Source of water supply (Check one) ☒ Groundwater or Other () (a) well
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 20 NORTH Range 1 EAST BOISE MERIDIAN
Section 35 EAST 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of ADAMS, GRANITE VIEW SUBDIVISION
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 8" X 175 Deep.
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For DOMESTIC purposes from Dec. 15th to JAN 31st amount .07 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 30 gal (cfs) .07 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) FIVE ONE

10. Place of use is: Township: 20 NORTH Range 1 EAST, Boise Meridian RECEIVED
Section 35 EAST 1/2 1/4 of 35 1/4, Govt. Lot _____, B.M., APR 29 1996

for (Circle One) Domestic Stock Domestic and Stock Department of Water Resources
Additional places of use, if any FERRASATON

11. In which county (ies) are lands listed above as place of use located? New Meadows IDA Adams County

12. Do you own the property listed above as place of use? Yes 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: 8" well 175' Deep. 30 gal P.M.

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) Robert J. Coulley & George R. Wittenborn Date 4/25/96
Robert J. Coulley, June 3-99 Date June 3 99

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

of _____ Title _____ 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 ADA) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 3RD day of JUNE 19 99

SEAL

Notary Public Jan Shute

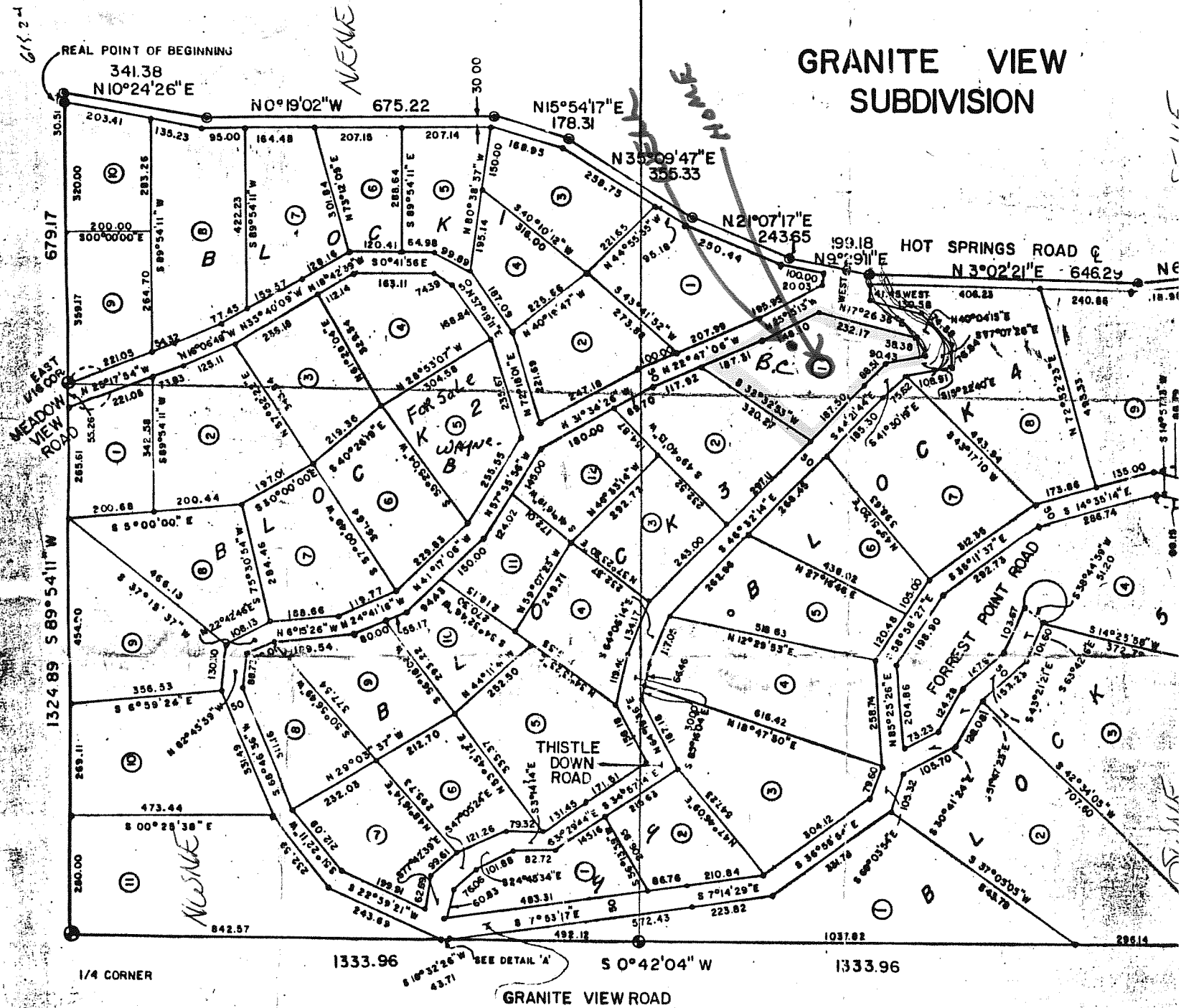
Residing at Mendenhall ID

My Commission Expires 9-14-2000

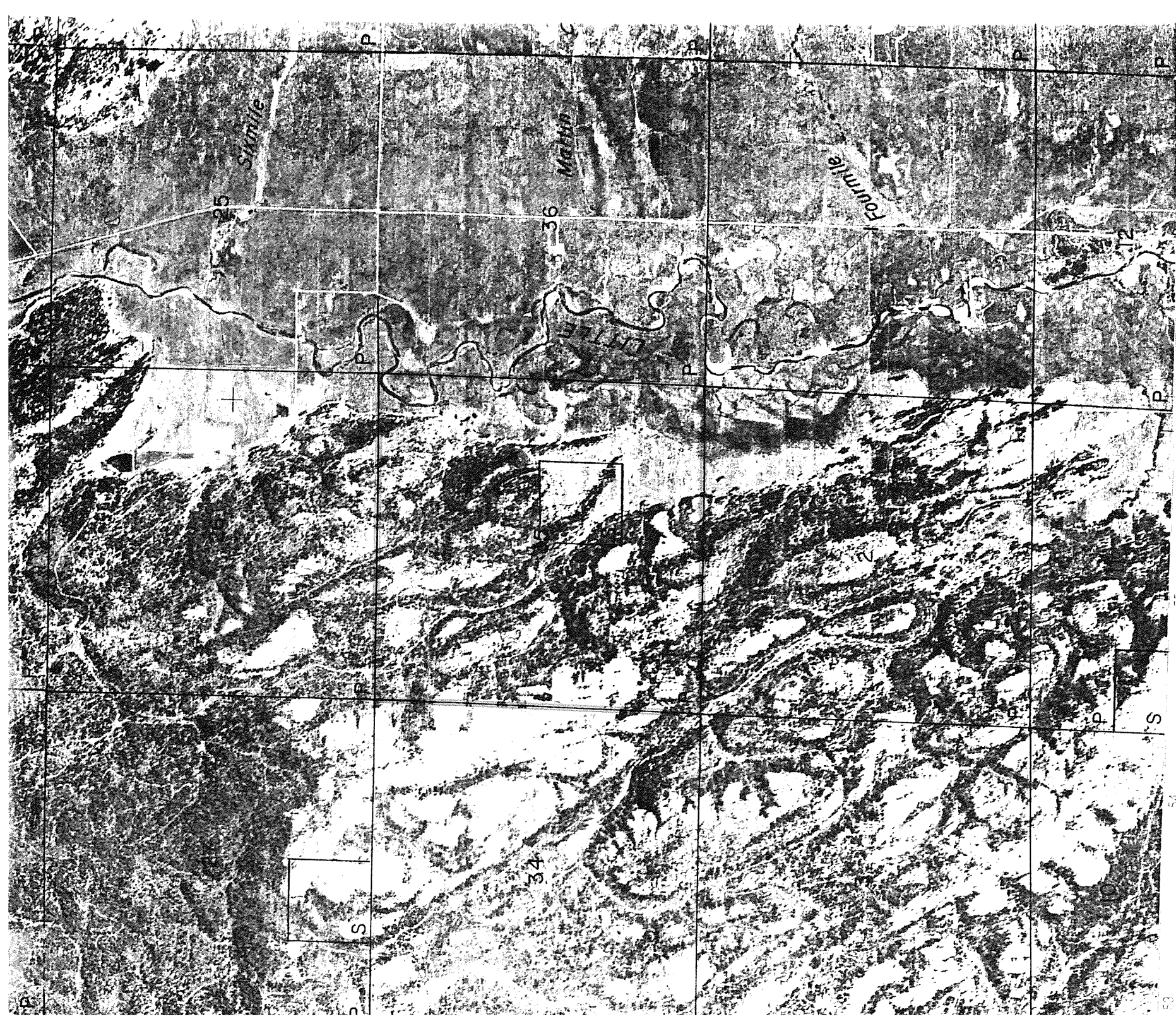
Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

GRANITE VIEW SUBDIVISION



DETAIL A



SCALE 1:4000