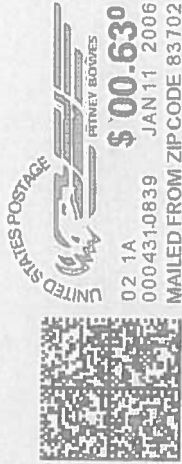


Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

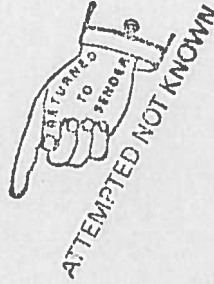
FIRST CLASS



RECEIVED

JAN 20 2006

DEPARTMENT OF
WATER RESOURCES

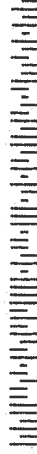


77-4169D

JOHN E LEONAR
VINCENZO MAZZIER
PO BOX 7456
SOLDOTNA AK 99669-2482

NG

County has 3483 S. Kentucky Way
Hendrix 83642



01/05/2006
RECEIVED

**NOTICE OF ERROR
REPLY**

MAR 14 2006

**DEPARTMENT OF
WATER RESOURCES**

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: March 13, 2006

Water right number: 77-4169D

JOHN E LE CLAIR

~~PO BOX 2482~~

~~SOLDOTNA AK 99669-2482~~

~~Telephone Number: (907) 262-5477~~

VINCENZO M MAZZIER

~~PO BOX 2482~~

~~SOLDOTNA AK 99669-2482~~

~~Telephone Number: (907) 262-5477~~

JOHN E. LE CLAIR

1311 W. 31st

ANCHORAGE, ALASKA 99503

907-276-1341

VINCENZO M. MAZZIER

3483 S. KENTUCKY WAY

MERIDIAN, IDAHO 83642

208-884-8869

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: 3/11/06

SIGNATURE: Vj. Mazzier

Please print your name: VINCENZO M MAZZIER

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

records updated 3/15-06. *ms*

SCANNED

MAR 15 2006

03/29/2005

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

RIGHT NUMBER: 77-4169D

NAME AND ADDRESS: JOHN E LE CLAIR
PO BOX 2482
SOLDOTNA AK 99669-2482

VINCENZO M MAZZIER
PO BOX 2482
SOLDOTNA AK 99669-2482

SOURCE: PONY CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION:

T21N R07E S2 NWSW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within VALLEY County

T21N R07E S02 Lot 5 SWNE

IRRIGATION Within VALLEY County

T21N R07E S02 Lot 5 SWNE

DOMESTIC Within VALLEY County

T21N R07E S02 Lot 5 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

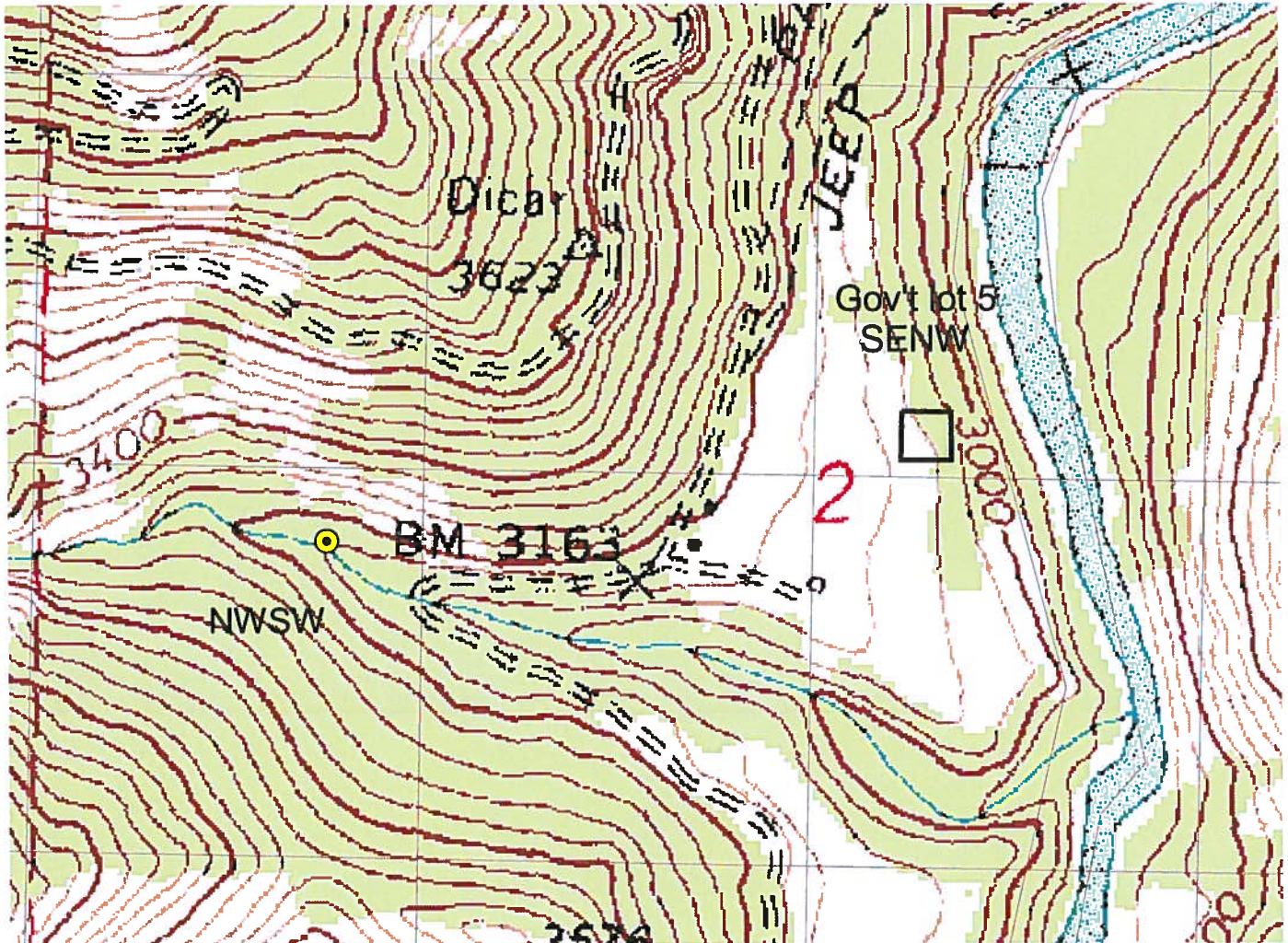
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

77-4169D



0 500 1000 Feet

Section 2
T21N R7E

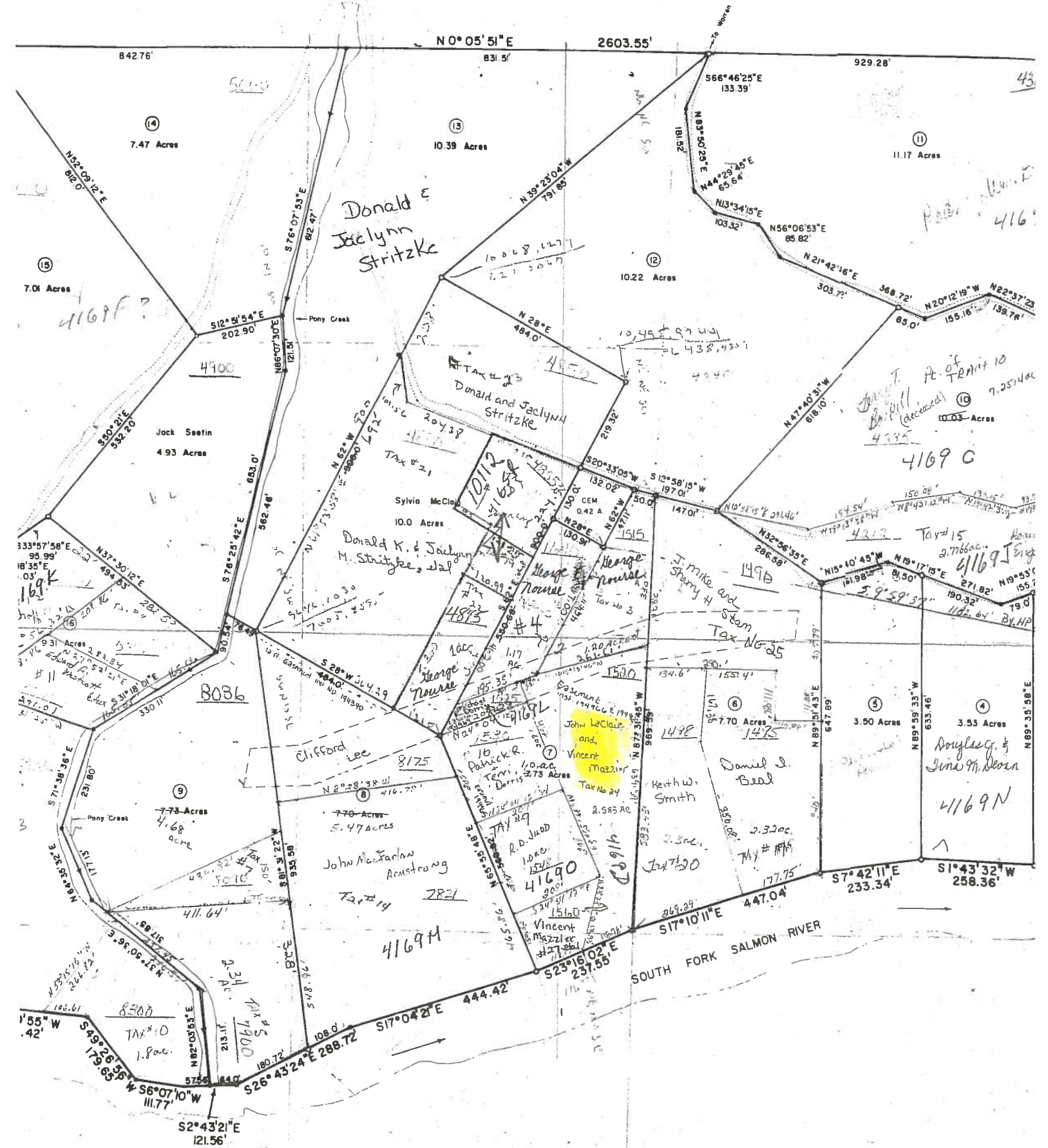


● Point of Diversion

□ Place of Use

Map prepared on March 29, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

NE1/4 SW1/4 & GOVT. LOTS TWO, FIVE & E1
SECTION 2, T.21N., R.7E., B.M.,
VALLEY COUNTY, IDAHO



3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:21:08

PARCEL: RP 21N07E021560 A

F17=DD F19=SP

LEGAL DESCRIPTION

MAZZIER, VINCENT
& LE CLAIR, JOHN E.

S2 T21N R7E
TAX NO. 27 IN TRACT 7
BARKELL RANCH SURVEY
ProVal Area Number 1

3483 S KENTUCKY WAY

CODE AREA 4-0000 OWNER CD

PARC TYPE LOC CODE 4700

MERIDIAN ID 83642

EFFDATE 1011992 EXPDATE

PREV PARCEL RP21N07E021507A

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	566	AC	5180				

TOTALS

566

5180

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:20:53

PARCEL: RP 21N07E021520 A

F17=DD F19=SP

LEGAL DESCRIPTION

MAZZIER, VINCENZO M.
& LE CLAIR, JOHN

S2 T21N R7E
TAX NO. 24 IN TRACT 7
BARKELL RANCH SURVEY +
ProVal Area Number 1
CODE AREA 4-0000 OWNER CD
PARC TYPE LOC CODE 4700
EFFDATE 1011992 EXPDATE
PREV PARCEL RP21N07E021507A

3483 S. KENTUCKY WAY
MERIDIAN ID 83642

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	2583	AC	19600				

TOTALS

2583

19600

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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: **A77-04169D**
Date Received: 11/22/1988
Receipt No: C003535
Received By: _____

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

1. Name: JOHN E LECLAIR
Address: PO BOX 2482
SOLDOTNA AK 99669

AND/OR

Name: ERIC BRUNDIGE
Address: MC CALL ID 83638

AND/OR

Name: VINCE MAZZIER
Address: MC CALL ID 83638

2. Date of Priority: JAN 1, 1879

3. Source: PONY CREEK Trib. to: SOUTH FORK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	07E	2	NE	NW	SW		VALLEY

5. Description of diverting works:
HEADGATE AND 3' BY 2' DITCH, CONNECT W/GATE AND WATER LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD, S/ APPROX. 6 HEAD OF STOCK, I/0.5 ACRES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	07E	2	NE	SW	8	DOMEST	
			NE	SW	8	STOCK	
			NE	SW	8	IRR	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS IS THE PORTION CALIMED FROM ORIGINIAL WATER RIGHT 77-4169, S
. MC CLAIN. THE LAND WAS PURCHASED FROM THE BARKELL ESTATE.

15. Basis of Claim: STATUTORY CLAIM

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: _____

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: A77-04169D
Date Received: 11/22/1988
Receipt No: C003535
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN E. LECLAIR 208-634-7246
Address: RT. 1 BOX A-7
MC CALL, ID 83638
AND/OR
Name: ERIC BRUNDIGE
Address: MC CALL, ID 83638
AND/OR
Name: MAZZIER M. VINCENZO
Address: MC CALL, ID 83638
2. Date of Priority: JAN 01, 1879
3. Source: PONY CREEK Trib. to: SOUTH FORK SALMON RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 21N | 07E | 2 | NE | NW | SW | | VALLEY |
5. Description of diverting works:
HEADGATE AND 3' BY 2' DITCH, CONNECT W/GATE AND WATER LINE
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/ ONE HOUSEHOLD, S/ APPROX. 6 HEAD OF STOCK, I/0.5 ACRES

A77-04169D

Page

1

Date: 11/22/88

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
21N	07E	2	NE		SW	8	DOMEST	
			NE		SW	8	STOCK	
			NE		SW	8	IRR	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS THE PORTION CALIMED FROM ORIGIONAL WATER RIGHT 77-4169, S
. MC CLAIN. THE LAND WAS PURCHASED FROM THE BARKELL ESTATE.

15. Basis of Claim: STATUTORY CLAIM

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): X John E. LeClair Date: 11-22-88

Date: _____

State of Idaho

County of Ada) SS.
_____)

Subscribed and sworn (or affirmed) before me this 22nd day

of Nov. 19 88

Seal

Dena Billups
Notary Public

Residing at Dena Billups, Notary Public
Residing at Caldwell, Idaho
My Commission Expires My Commission Expires March 21, 1994

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-25-1997

PAGE: A-226

RIGHT NUMBER: 77-04169D

NAME & ADDRESS:

~~ERIC BRUNDIGE~~
~~MAZZIERI, VINCENTO~~
~~MC CALL ID 83638~~

JOHN E LECLAIR
~~RT 1 BOX A-7~~
MC CALL ID 83638

Box 2482
Soldotna, AK 99669

SOURCE: PONY CREEK

TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION: T21N R07E S02

NENSW

Within VALLEY County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

DOMESTIC D/ ONE HOUSEHOLD, S/ APPR

no improvement

PERIOD OF USE

01-01 12-31

QUANTITY

0.04 CFS

PLACE OF USE:

DOMESTIC

Within VALLEY County

T21N R07E S02

Lot 8 (NESW) ✓

STOCKWATER

Within VALLEY County

T21N R07E S02

Lot 8 (NESW) ✓

IRRIGATION

Within VALLEY County

T21N R07E S02

Lot 8 (NESW) ✓

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Comments
THIS IS THE PORTION CALIMED FROM ORIGINAL WATER RIGHT 77-4169, S
. MC CLAIN. THE LAND WAS PURCHASED FROM THE BARKELL ESTATE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

Parcel # RP
21N07E021500

Data Entered 11/18/97

Verified by slw Date: 10/21/97

Verification Source: index card, plat book
computer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

November 6, 1997

NOV 18 1997

Department of Water Resources

JOHN E LECLAIR

~~MAZZIER~~ * VINCENZO M. MAZZIER

PO BOX 2482

SOLDOTNA AK 99669 - 2482

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #A77-04169D
Change of Address

Dear Mr. LeClair & Mr. Vincenzo:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

According to the county records, this property has no improvements on it. The claim to the property is for a domestic use of one household. The department needs proof the water is in use for a domestic right.

Please sign your name at the bottom of this letter and return it along with the proof of domestic use to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by December 1, 1997. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

November 6, 1997

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,



Anita L. Warntjes
Administrative Assistant
Adjudication Bureau

ALW:region

The address is correct as shown above or as otherwise changed.

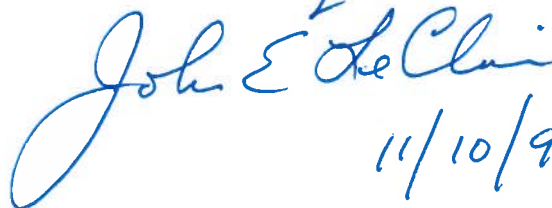


Claimant Signature

(907) 262-5477

I talked with Danny Smith and will be in Boise in December and will stop in to visit and provide the necessary information and to also check on the new parcel I purchased which is attached to this existing one. Thank You I look forward to meeting with you.

Sincerely



11/10/97

ADJUDICATION MEMORANDUM

CLAIM NO: A77-041690

SUBJECT: Inquiry

EMPLOYEE: _____

DATE: _____

John Le Clair phoned to inquire about a letter he received concerning the use of this Pony Creek water in the last 5 yrs. I could not find this letter anywhere in any of our files - either claims or water rights. I called the State office & couldn't find anybody there who had sent a letter. Told Mr. Le Clair will call when he gets back to Alaska & finds the letter. In the meantime he started a note put in the file that he contacted us.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-5400

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

DATE: February 11, 1998

TO: Jan Shurte

FROM: Sally Sherman
208/327-7862
FAX 208/327-5400
ssherman@idwr.state.id.us

DOCUMENT DESCRIPTION:
COVER SHEET + 3 PAGES

Jan... John LeClair just called me from Hawaii (tough duty, huh?!) regarding w/r #A77-04169D. He told me he's talked to you, Danni, Anita and now me. I'm deferring to you, since he told me you told him the right was okay.

Please call him at the State Division of Forestry - 907/260-4220 or call him at home at 907/262-5477.

I will place the "verifying documents" in your Western file to be hand-carried back to Western.

Thank you. ... Sal

A handwritten signature in green ink, appearing to be 'Sally'.