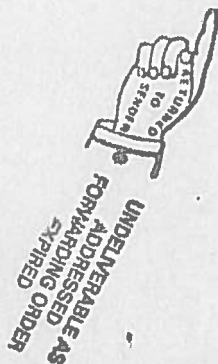


Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



ADDRESS SERVICE
REQUESTED

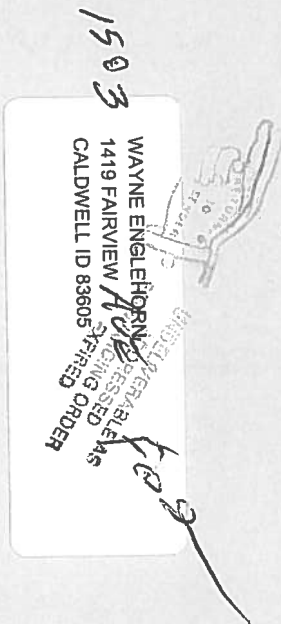
FIRST CLASS



UNITED STATES POSTAGE
PRIME BOWES
02 1A
0004310839
JAN 11 2006
MAILED FROM ZIP CODE 83702
\$00.630

RECEIVED
JAN 17 2006
DEPARTMENT OF
WATER RESOURCES

77-4169 J



01/05/2006

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: March 3, 2006

Water right number: 77-4169J

WAYNE ENGLEHORN
~~1419 FAIRVIEW~~ 1503 FAIRVIEW AVE
CALDWELL ID 83605-4609
Telephone Number: (208)459-6507

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:

RAE
☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 03-02-06

SIGNATURE:

Wayne Englehorn

Please print your name:

WAYNE ENGLEHORN

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

03/25/2005

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

RIGHT NUMBER: 77-4169J
NAME AND ADDRESS: WAYNE ENGLEHORN
1419 FAIRVIEW
CALDWELL ID 83605
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>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within VALLEY County
T21N R07E S02 Lot 5 NESW

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

PARCEL NO. RP21N07E024212A

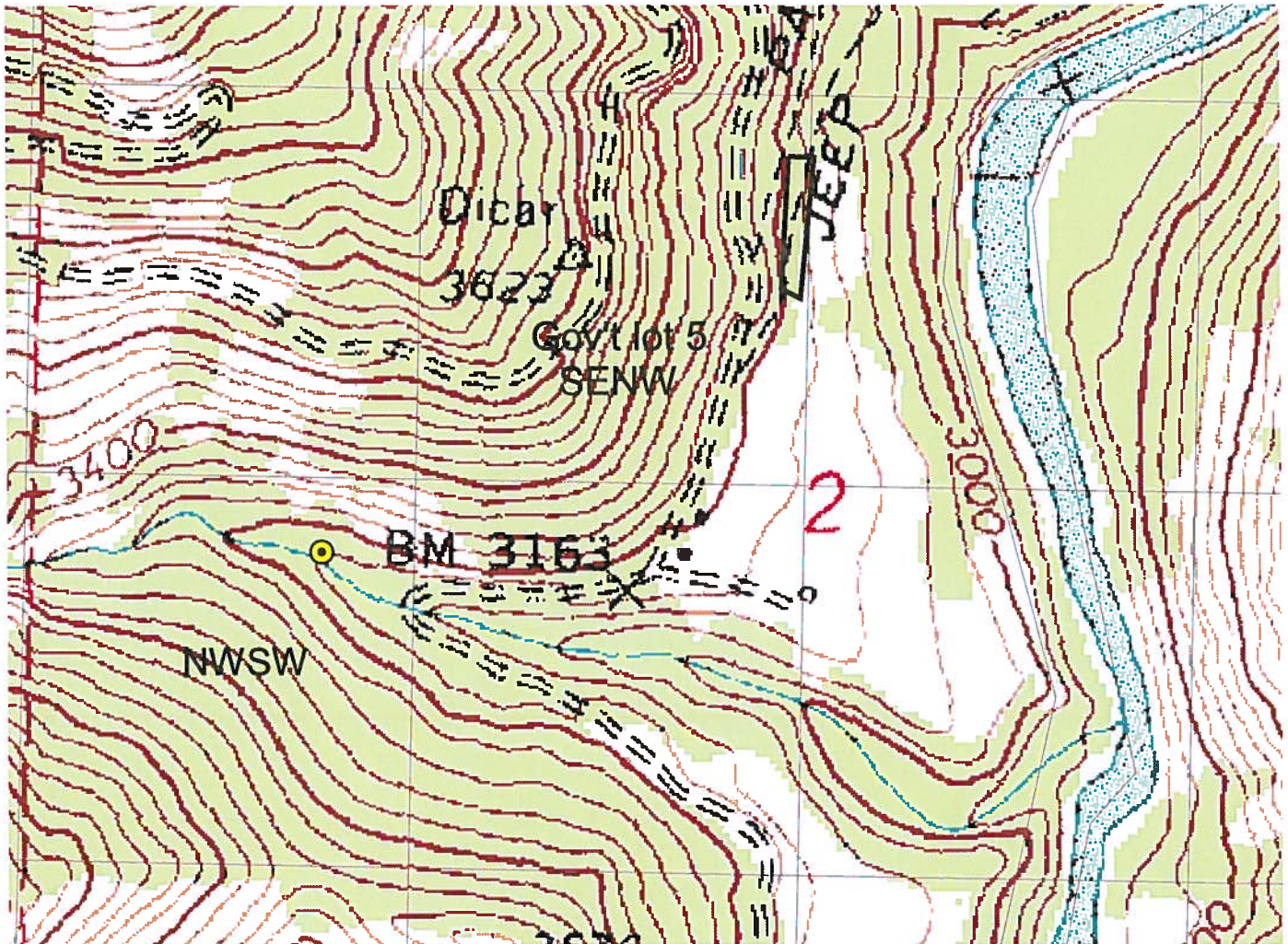
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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.

77-4169J



0 500 1000 Feet

Section 2
T21N R7E



● Point of Diversion

□ Place of Use

Map prepared on March 25, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

NE 1/4 SW 1/4 & GOVT. LOTS TWO, FIVE & EIGHT
SECTION 2, T.21N., R.7E., B.M.,
VALLEY COUNTY, IDAHO

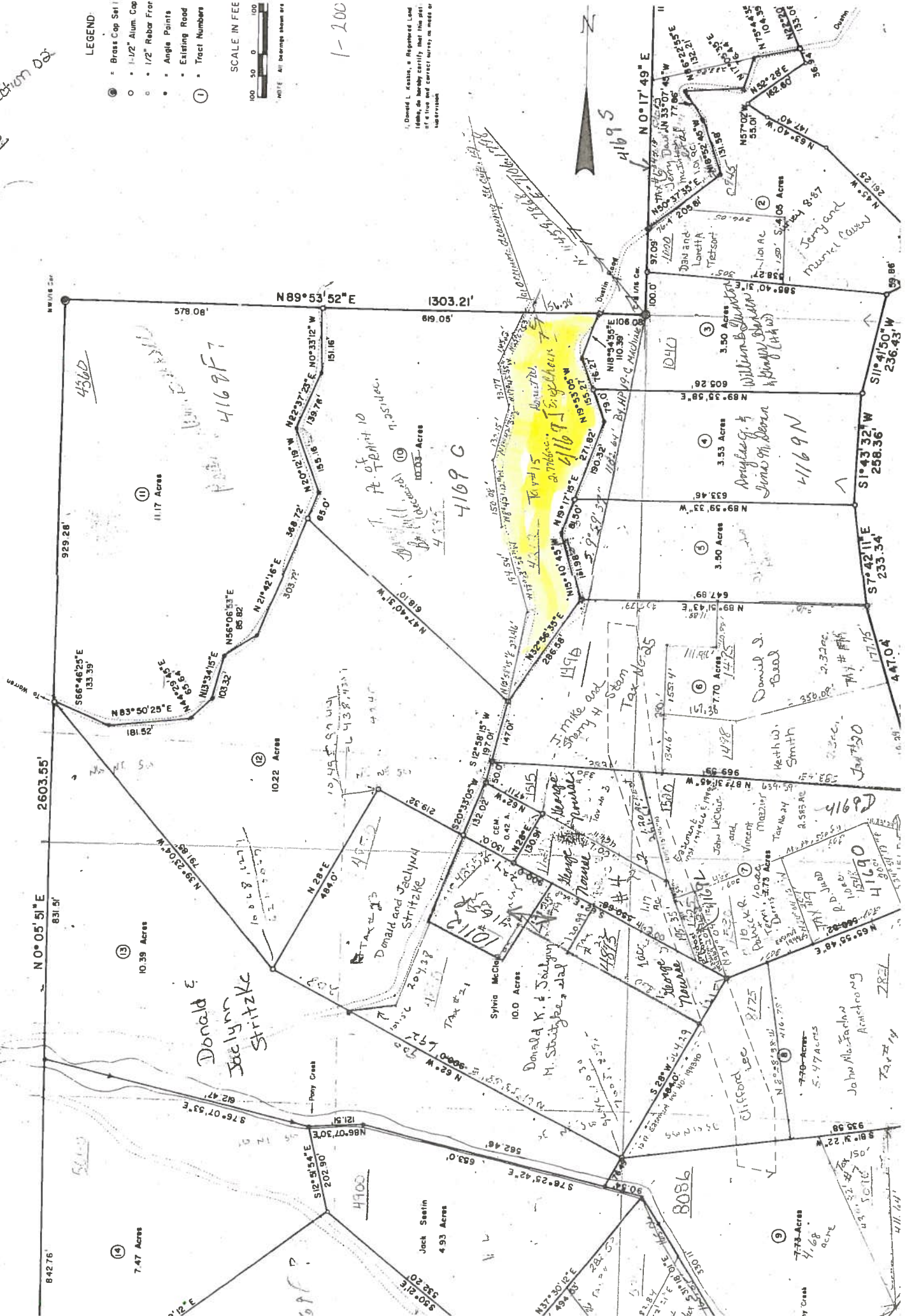
Set for entire Section 2
5-398

- LEGEND:
- Brass Cap Set
 - 1/2" Alum. Cap
 - 1/2" Rebar For
 - Angle Points
 - Existing Road
 - Tract Numbers

SCALE IN FEET
0 50 100
NOTE: All bearings shown are

1-200

Donald L. Kahan, a Registered Land
Surveyor, do hereby certify that this plat
is a true and correct survey as made or
subscribed.





State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 25, 2005

Robert Englehorn
1503 Fairview Ave.
Caldwell, ID 83605

RE: 77-4169J

Dear Mr. Englehorn:

On November 23, 1988, Wayne submitted a Notice of Claim in the Snake River Adjudication (copy enclosed for your reference). We searched the Valley County tax lot information and it appears that you may now own the property. If you do own the property, and the water is still being used, and you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock'.

Kenneth Knoblock
Water Resources Agent

His full name is Robert Wayne Englehorn
3/29/5

3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:21:15

PARCEL: RP 21N07E024212 A

F17=DD F19=SP

LEGAL DESCRIPTION

ENGLEHORN, ROBERT W.

S2 T21N R7E
TAX NO. 15 IN TRACT 10 OF
BARKELL RANCH SRUVEY
ProVal Area Number 1

1503 FAIRVIEW AVE

CODE AREA 4-0000 OWNER CD

CALDWELL ID 83605

PARC TYPE LOC CODE 4700

EFFDATE 1011995 EXPDATE

PREV PARCEL RP21N07E024212A

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	2777	AC	18580				

TOTALS

2777

18580

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: A77-04169J

Date Received: 11/23/1988

Receipt No: W061518

Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE ENGLEHORN
Address: 1419 FAIRVIEW
CALDWELL, ID

208-459-6507

83605

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	Lot	County
21N	07E	2	NW	SW			VALLEY

5. Description of diverting works:
HEADGATE AND DITCH

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:

DOMESTIC USE, ONE HOME AND YARD

10. Place of Use:

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

11. Place of use in counties: VALLEY

A77-04169J

Page 1

Date: 11/23/88

MICROFILMED
OCT 05 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS SPLIT FROM ORIGINAL WR# 77-04169. A UNRECORDED
SUBDIVISION. THIS IS A TRACT OF LAND LOCATED IN TRACT 10 OF THE
BARKELL RANCH.

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): Wayne Englehorn Date: 11-23-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23 day

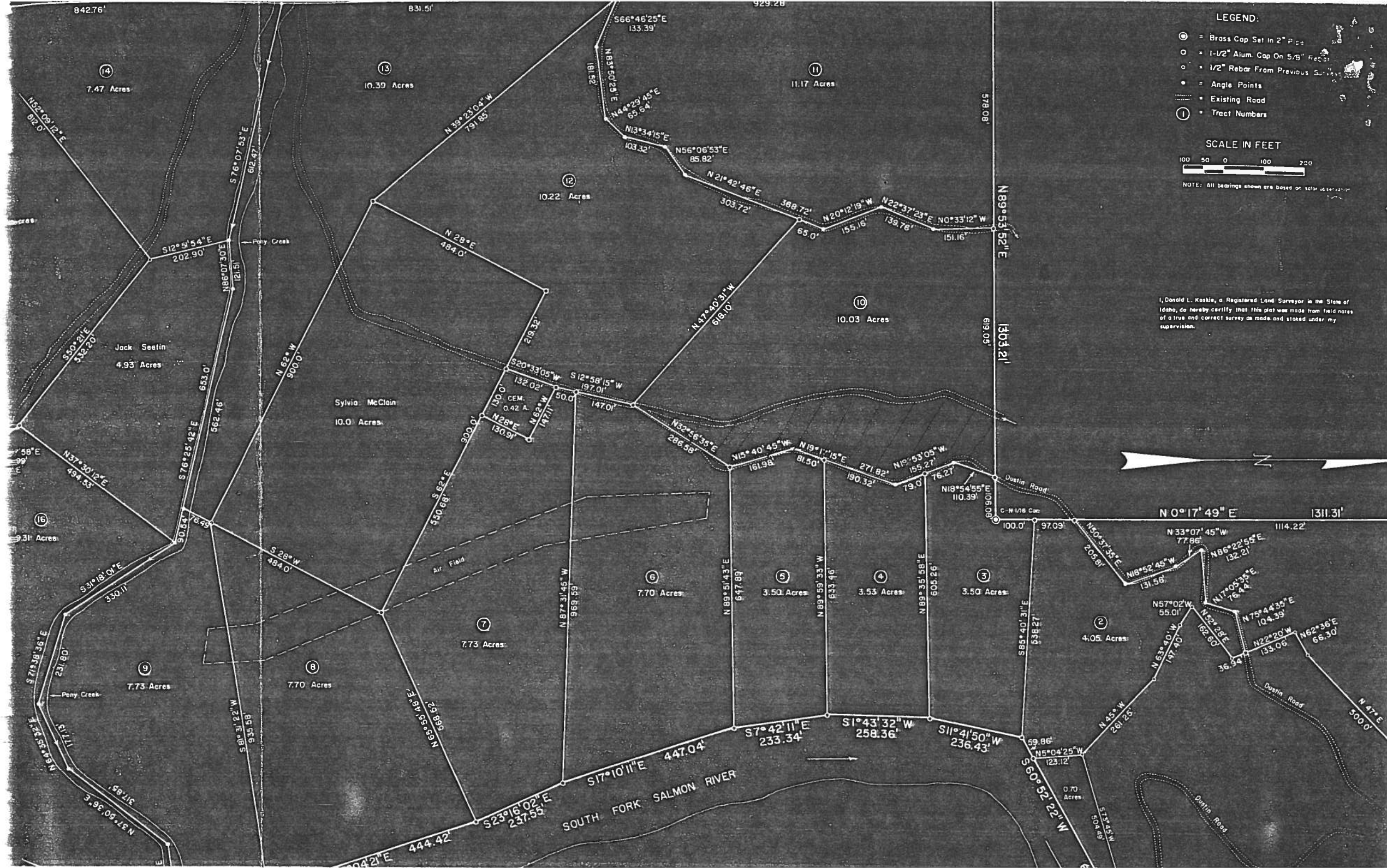
of Nov 1988

Elden J. Pouch
Notary Public

Seal

Residing at Bow

My Commission Expires 09/02/1994



LEGEND:

- ⊙ = Brass Cap Set In 2" Pipe
- = 1-1/2" Alum. Cap On 5/8" Rebar
- = 1/2" Rebar From Previous Survey
- = Angle Points
- = Existing Road
- ① = Tract Numbers

SCALE IN FEET



NOTE: All bearings shown are based on solar observation.

I, Donald L. Koshle, a Registered Land Surveyor in the State of Idaho, do hereby certify that this plot was made from field notes of a true and correct survey as made and staked under my supervision.



AJ5809NP
No. R77-04169J

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 16

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE ENGLEHORN 1419 FAIRVIEW CALDWELL ID 83605 (208) 459-6507	01/01/1879	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: PONY CREEK

Tributary to: SOUTH FORK SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T21N R07E S02

NWSW

VALLEY County

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
21N	07E	2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: VALLEY

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: ~~GEN~~ ^{EXP} PARCEL NO. RP21N07E024212A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
THIS CLAIM IS SPLIT FROM ORIGINAL WR# 77-04169. A UNRECORDED
SUBDIVISION. THIS IS A TRACT OF LAND LOCATED IN TRACT 10 OF THE
BARKELL RANCH.

Audit: 12/01/93 DUNN1 03/30/95 POST-STD 11/08/98 AJU3-JSH

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/24/92 20:46:21
PAGE 1

WATER RIGHT NUMBER - A77-04169J

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
ENGLEHORN

WAYNE

1 - 1419 FAIRVIEW

2 -

3 -

CITY- CALDWELL

STATE- ID ZIP- 83605

PHONE - 208-459-6507

*** O - ORIGINAL OWNER ***
MC CLAIN

SYLVIA

1 - RURAL RT. 2

2 - BOX 31

3 -

CITY- CULDESAC

STATE- ID ZIP- 83524

PHONE - 208-843-2859

+ - - PRIORITY DATE - - +
01/01/1879

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
S - STATUTORY CLAIM

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +
PONY CREEK

+ - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - +
SOUTH FORK SALMON RIVER[illegible]

21N 07E 2 NW SW (85) VALLEY

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME	+
---	------	-------------	-------------	-----------	-----------	----------------	------------------	---

43 - DOMESTIC	01/01	12/31	0.040
---------------	-------	-------	-------

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
	0.040						0.0		

21N 07E 2 NE SW 43 DOMESTIC (85) VALLEY

+ - - DIVERSION MEANS - HEADGATE AND DITCH

+ - - NON-IRRIGATION USE - DOMESTIC USE, ONE HOME AND YARD

+ - - OTHER RIGHTS FOR SAME USE - NONE

----- REMARKS -----
THIS CLAIM IS SPLIT FROM ORIGINAL WR# 77-04169. A UNRECORDED
SUBDIVISION. THIS IS A TRACT OF LAND LOCATED IN TRACT 10 OF THE
BARKELL RANCH.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
OCT 24 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/24/92 20:46:21
PAGE 2

WATER RIGHT NUMBER - A77-04169J

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - C U N D I T I O N S O F A P P R O V A L - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 11/23/88 HOWERTON 10/10/89 REFUNDML

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                -COMMENTS-
                                NO COMMENTS FOUND

```

```
+ - - - - - - - - - - - - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - - - - - - - - +
```

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 11/23/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W001518	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 21N07E024212A

DATA ENTRY
ENTERED 12-1-93
CHECKED 3-31-94

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
SEP 12 1992

CERTIFIED
MAR 28 1993
WATER EXAMINER

MICROFILMED
OCT 24 1996