

11/14/2006

RECEIVED
DEC 06 2006
DEPARTMENT OF
WATER RESOURCES

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: 67-4274

DELBERT T OGLE
1039 W INDIAN VALLEY RD
CAMBRIDGE ID 83610
Telephone Number: (208)256-4448

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: Dec 4, 2006 SIGNATURE: Delbert Ogle
Please print your name: Delbert Ogle

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

SCANNED
DEC 08 2006

03/14/2006

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

RIGHT NUMBER: 67-4274
NAME AND ADDRESS: DELBERT T OGLE
1039 W INDIAN VALLEY RD
CAMBRIDGE ID 83610
SOURCE: WASTE WATER TRIBUTARY: LITTLE WEISER RIVER
QUANTITY: 0.320 CFS
PRIORITY DATE: 05/01/1968
POINT OF DIVERSION:
T14N R01W S4 SENWNW Within ADAMS County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.320 CFS

PLACE OF USE: IRRIGATION Within ADAMS County
T14N R01W S04 Lot 4 NWNW 13.00

13 ACRES TOTAL

total Right Nos. 67-4274 and 67-462 are limited to the irrigation of a combined
of 99 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



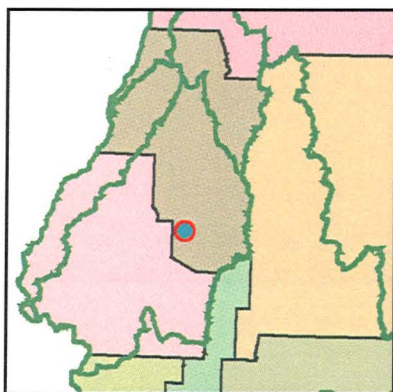
Idaho Department of Water Resources

Adjudication Claim Number: **67-4274**

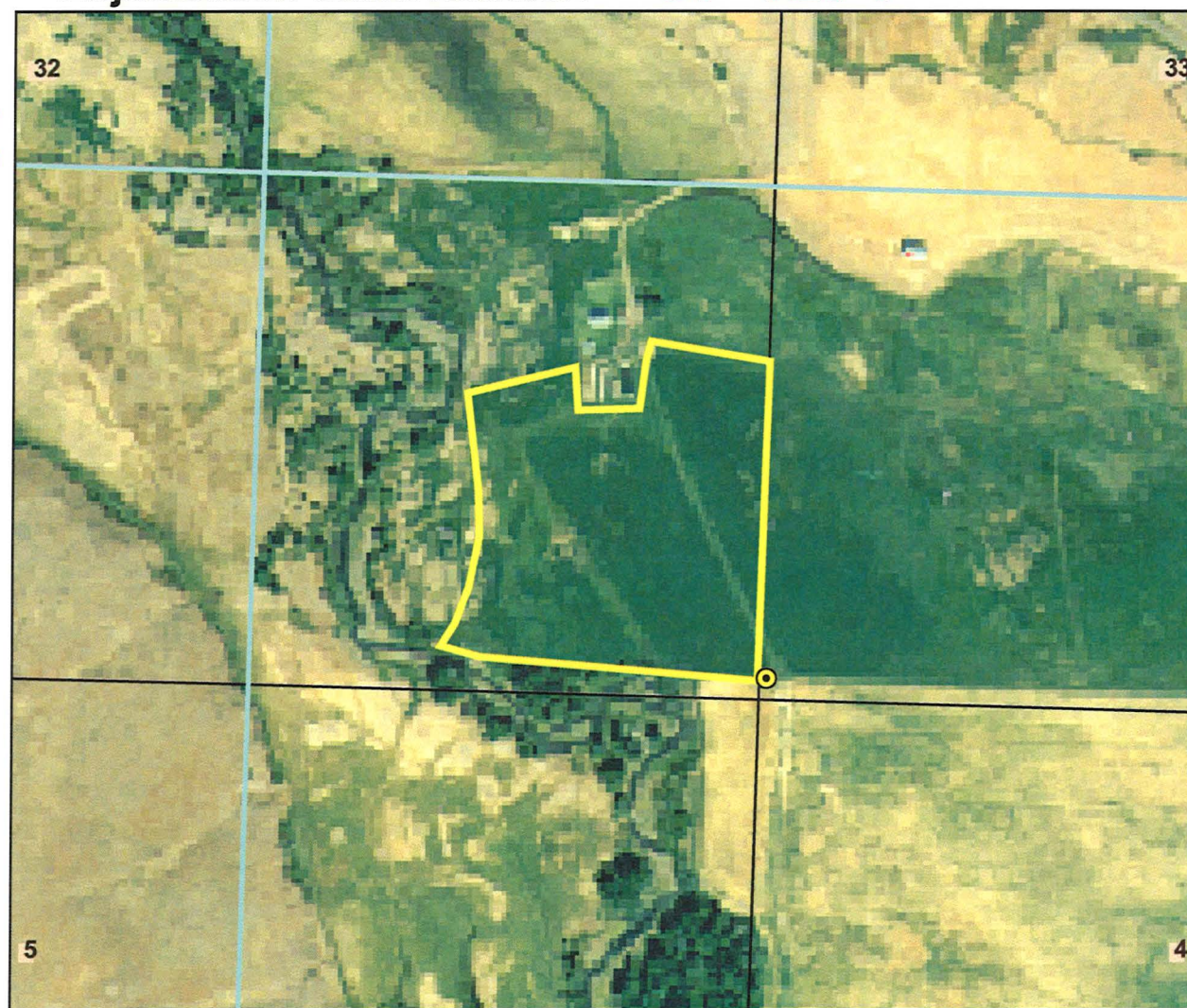
T14N R01W
T15N R01W

Legend

- 67_4274_rec_pod.shp
- 67_4274_rec_pou.shp
- Section Lines
- Quarter Lines



Washington County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by M. Mount
On Tuesday, March 14, 2006
1987 Aerial Photography



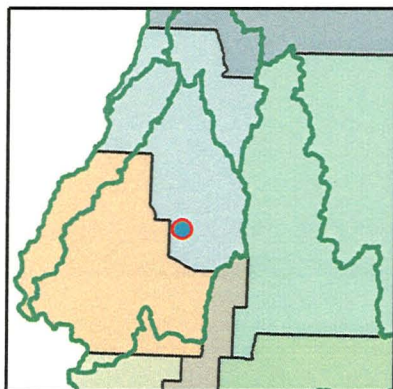
Idaho Department of Water Resources

Adjudication Claim Number: **67-4274**

T14N R01W

Legend

- PLS Sections
- GCDBQuarter Quarters



Adams County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Wednesday, August 10, 2005
1987 Aerial Photography

Contacts Data Entry Form

Claim Number: 67-4274

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	TOM OGLE		INDIAN VALLEY	ID	83632	
Current Owner	DELBERT T OGLE	1039 W INDIAN VALLEY RD	CAMBRIDGE	ID	83610	(208)256-4448

Date of Field Exam: 11-12-05 Time: 1000Accompanied By: Ethel Pearson Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:
Ethel Pearson

She says she DOESN'T own this
Property on the water Rights 67-4274 or
67-4275 & WAS NOT Part of the Bankruptcy
Property.

Reviewer: Date: 11-12-05

Priority Date Data Entry Form

Claim Number 67-4274

Claimed Priority Date: 5/1/1968

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1968

Water Right Basis: Statutory Claim

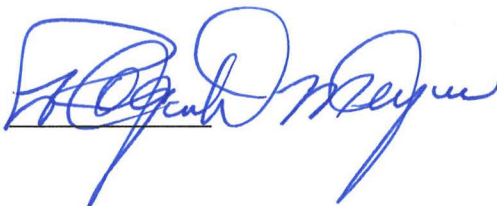
Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

~~Will Need A AFFIDAVIT~~

There is AN AFFIDAVIT HAND
WRITTEN BY HARVEY BELM.
DATED 9-14-05

Reviewer:



Date:

11-12-05

Claim Number 67-4274

T14N R01W S4 SWSWSE Within ADAMS County Source: WASTE WATER LITTLE WEISER RIVER

T14N R01W S4 SWSE Within ADAMS County

Tributary To

See map
A0016782 North Ogish Ditch.
14N01W4NWSE

Document how the POD and Source were verified:

Reviewer: Frank Meyer

Date: 11-12-05

Place Of Use Data Entry Form

Claim Number 67-4274

Claimed Place Of Use

T14N R01W S04 Lot 4 NWNW 16.0

Total Acres 16

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T14N R01W S04 NWNW 10.0

Total Acres 10

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Reviewer:



Date: 11-12-05

Purpose of Use Data Entry Form

Claim Number 67-4274

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer:



Date:

11-12-05

Period of Use and Quantity Data Entry Form

Claim Number 67-4274

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.32	

Overall Diversion Rate 0.32 Overall Diversion Volume

☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	10/31	0.2	

Overall Diversion Rate 0.2 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer



Date: 11-12-05

67-4274 (Black Pearson ad- 257-3541
Debra Ogle 257-2841
256-4448

POD # A0016782 North Ogle Ditch *
WASTE water. 14N01W4NWSE.

POD 14N01W4NW NW

DRP.

CFS .32 = 16"

Stock

PR/Date May 1, 1968

Pictures & CFS

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: **A67-04274**
Date Received: 9/12/1989
Receipt No: C011574
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DELBERT T OGLE 208-256-4448
Address: 1039 W INDIAN VALLEY RD
CAMBRIDGE ID 83610
2. Date of Priority: MAY 1, 1968
3. Source: WASTE WATER Trib. to: LITTLE WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 14N | 01W | 4 | SW | SW | SE | | ADAMS |
5. Description of diverting works:
CULVERT FROM WASTE DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.320 | | |
7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 48.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	01W	4	NW	NW	4	IRR	16.0

Section Acres 16.0

**SCANNED
APR 08 2004**

10. Place of Use: Continued

Total Acres 16.0

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:
 C. BEN ROSS, 67-00462

14. Remarks:
 ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

15. Basis of Claim: STATUTORY CLAIM



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

RECEIVED

MAY 12 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

DELBERT T OGLE
1039 W INDIAN VALLEY RD
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-10168, A67-00457, A67-00458B, A67-00462,
A67-02020, ~~A67-07273~~, A67-04274, A67-04275 & A67-04276
Change of Address *to T. Ogle.*

Dear Water Right Holder:

*records changed, NCAP
prepared, as 5-12-99*

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 right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. 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.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Delbert Ogle

Claimant Signature

(208) 256-4448

Telephone No.

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: A67-04274
Date Received: 9/12/1989
Receipt No: 0011574
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT T. OGLE 208-256-4448
Address: HC 68, BOX 2450
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1968

3. Source: WASTEWATER Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

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

5. Description of diverting works:
CULVERT FROM WASTE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

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

8. Total consumptive use is 48.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	4	NW	NW	4	IRR	16.0
Section Acres							16.0
Total Acres							16.0

A67-04274

Page 1

Date: 09/12/89

MICROFILMED
OCT 02 1992

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:

C. BEN ROSS, 67-00462

14. Remarks:

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): *Robert T. Cole* Date: 9/12/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of September 19 89

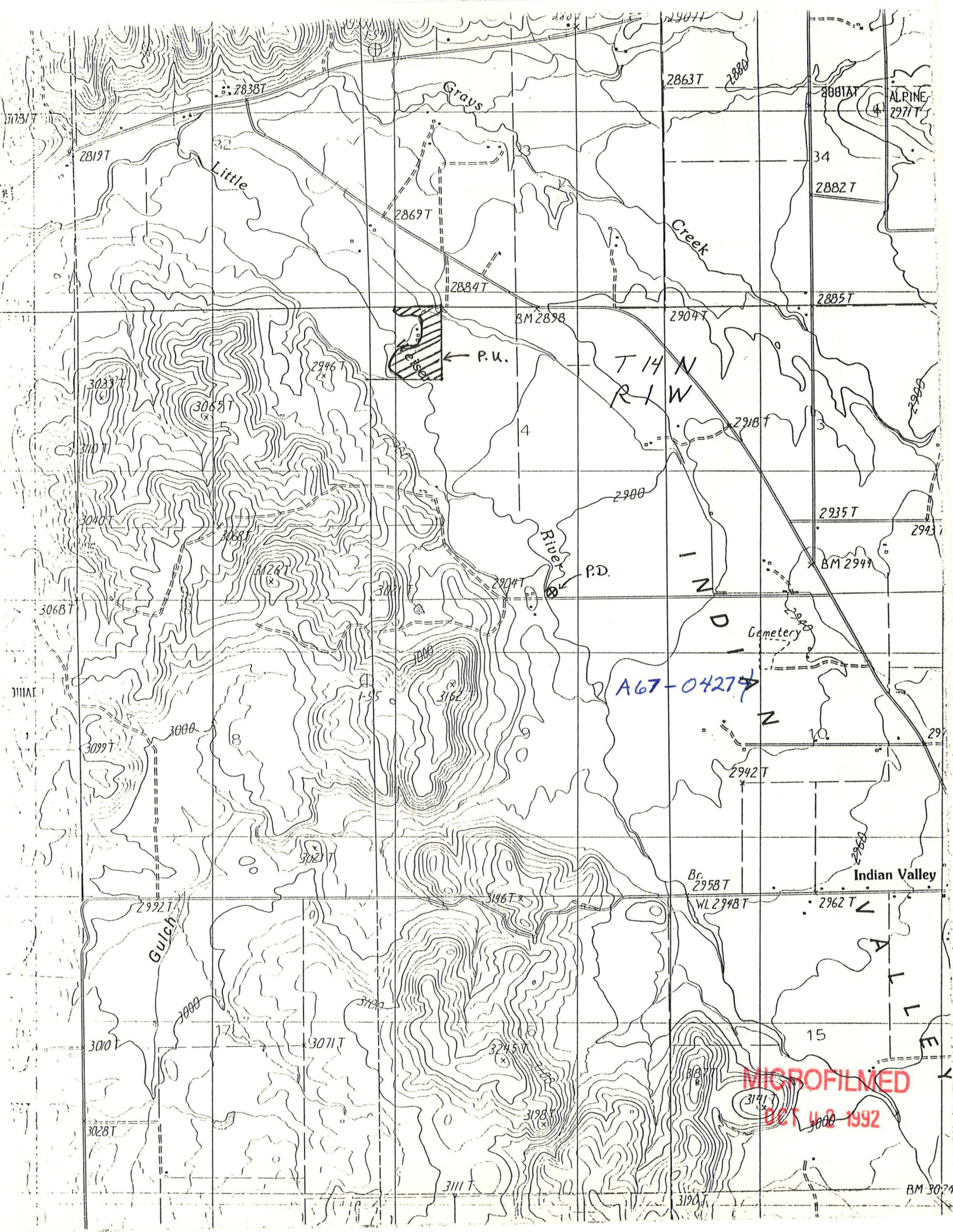
Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



MICROFILMED
OCT 4 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 DEC 18 2001
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>67-4276</u>	_____	_____	<u>67-4274</u>	_____
_____	<u>- 457</u>	_____	_____	<u>- 4273</u>	_____
_____	<u>- 458B</u>	_____	_____	_____	_____
_____	<u>- 4275</u>	_____	_____	_____	_____
_____	<u>- 462</u>	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former
Owner/Claimant(s)

DELBERT OGLE
1039 W INDIAN VALLEY RD, CAMBRIDGE

- ④ New Owner/Claimant(s)

Ethel J Pearson Robin Thorsen
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

2982 Cutler Rd.

City, State and ZIP Code

Cambridge, ID 83610-2166

New Telephone Number

(208) 257-3541

- ⑤ Date you acquired the property

November 1996 + April 1997 (Parcel 1+2)

Denise,

No splits need to be done

67-10167 - Already in Ethel's name

No action needed

67-00457 } Can be changed

67-00458B } No splits necessary

67-04276 } C/O OK

67-04273 }

67-00460 } No change. Deed

67-04274 } Provided does not

67-04275 } Indicate ownership of
these Rights.

Craig

RECEIVED
DEC 18 2001
WATER RESOURCES
WESTERN REGION

2982 Cutler Road
Cambridge, Idaho 83610
December 15, 2001

Lori Graves
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Dear Lori:

Thank you so much for your letter, the copies of the water claims within our property boundaries, and for all the work it took to find them. I have completed the form you sent, and am returning it to you with this note.

I am assuming there is nothing more we need to do at this time. If there is, please let me know.

Again my thanks.

Sincerely,

Thel

Thel Pearson

Previously rec'd 12/94.

See deed attached.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

12/07/2001

Thel Pearson and Robin Thorsen
2982 Cutler Rd
Cambridge ID 83610

Dear Thel and Robin:

Enclosed please find copies of all the claims filed and found within your property boundaries in the name of Delbert and/or Tom Ogle. The claims have yet to be decreed in the Snake River Basin Adjudication, which means we still have to do a name change so that the decrees are issued in your names. Please complete nos. 4, 5, and 7 on the enclosed Change of Ownership form and return to my attention. There is no charge.

Let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lori Graves'.

Lori Graves
Sr. Water Resource Agent

RECEIVED

DEC 03 2001

WATER RESOURCES
WESTERN REGION

2982 Cutler Road
Cambridge, Idaho 83610
November 29, 2001

Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Dear Lori:

In a telephone conversation several months ago, you told me that if I sent in the legal description of our land, you would clarify our water rights in Indian Valley and make sure that they are now in our names. I apologize for taking so long.

I am enclosing several papers. "Exhibit A" gives a brief legal description of the first 825 acres. A longer version is attached, but I think that the details are just trying to define the course of the Little Weiser River. We have no land east of the river. The descriptions of Parcel 1 and Parcel 2 on the Trustee Deed defines the additional 300 acres.

I am also enclosing a copy of the paper given us by the real estate office. I brought it with me to your office when we first purchased the land. It shows Delbert Ogle on this sheet; water rights might also be listed under Tom Ogle's name, as it was originally his ranch.

I appreciate the work that you will be doing, and look forward to hearing from you.

Sincerely,

Thel Pearson

Robin Thorsen

Thel (Ethel) Pearson
Robin Thorsen

AJ0749NP
No. A67-04274

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/12/99
PAGE: 1

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=====
OWNER      PRIORITY  USE PERIOD  DIVERSION  DIVERSION
CODE       DATE       FROM   TO     RATE      VOLUME
-----
C  DELBERT T OGLE      05/01/1968  IRRIGATION    03-15 11-15    0.320 CFS
    1039 W INDIAN VALLEY RD
    CAMBRIDGE ID 83610
    (208) 256-4448
                                TOTAL DIVERSION: 0.320 CFS
                                CONSUMPTIVE USE:      48.00 AFA

    Water Source: WASTE WATER      Tributary to: LITTLE WEISER RIVER      Stage: STATUTORY CLAIM

Point(s) of Diversion:      T14N R01W S04      SWSWSE      ADAMS County

Place of use Legal Description for: IRRIGATION
      NE      NW      SW      SE
      NENE  NENE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  Lt Ac  Lt Ac  Lt Ac  Lt Ac  :  SUM
-----
14N 01W 4   :  :      04-16      :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
                                TOTAL ACRES      16.0
                                TOTAL ACRES      16.0
=====
```

POU County: ADAMS

Other Rights: C. BEN ROSS, 67-00462

Remarks: GEN ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/12/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

SCANNED
APR 08 2004

DELBERT T	C	67-10168	11/22/1902	GROUNDWATER	0.060	43	DOMEST
						04	STOCK
DELBERT T	C	A67-00457✓	06/01/1885	LITTLE WEIS	0.300	01	IRR
DELBERT T	C	A67-00458B	06/01/1894	LITTLE WEIS	0.120	01	IRR
DELBERT T	C	A67-00462✓	06/01/1873	LITTLE WEIS	1.000	01	IRR
DELBERT T	C	A67-02020✓	08/29/1907	GRIZZLY CRE	1.060	01	IRR
				UNNAMED STR		43	DOMEST
DELBERT T	C	A67-04273✓	05/01/1968	WASTE WATER	0.140	01	IRR
DELBERT T	C	A67-04274✓	05/01/1968	WASTE WATER	0.320	01	IRR
DELBERT T	C	A67-04275✓	01/01/1950	LITTLE WEIS	0.300	01	IRR
DELBERT T	C	A67-04276✓	05/01/1949	LITTLE WEIS	0.600	01	IRR
DELBERT T	C	A67-10168✓	11/22/1902	GROUNDWATER	0.060	43	DOMEST
						04	STOCK

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

☐ No account number on mail

☐ Account number illegible

Addressee's Name

Delbert T Ogle

Old Address (Include apartment or suite number)

City, State, and ZIP Code

*HC 68 Box 2450
Cambridge, Id 83600*

New Address (Include apartment or suite number)

City, State, and ZIP Code

*1039 W. Indian Valley Rd
Cambridge, Id 83600*

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address ☐ No such street ☐ No such number
☐ Refused ☐ Attempted, not known ☐ Unclaimed