

11/14/2006

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: 67-14236

MARGARET A HARVEY

1772 CAHILL RD

WEISER ID 83672

Telephone Number: (208)642-3410

ROBERT I HARVEY

1772 CAHILL RD

WEISER ID 83672

Telephone Number: (208)642-3410

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, 2006 SIGNATURE: Robert I. Harvey

Please print your name: Robert I. Harvey

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

SCANNED

DEC 15 2006

11/13/2006

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

RIGHT NUMBER: 67-14236

NAME AND ADDRESS: MARGARET A HARVEY
1772 CAHILL RD
WEISER ID 83672

ROBERT I HARVEY
1772 CAHILL RD
WEISER ID 83672

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: 01/01/1984

POINT OF DIVERSION:

T10N R05W S24 NESW Within WASHINGTON County

T10N R05W S24 NESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.070 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T10N R05W S24 NESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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
Stockwater use is for 300 range cattle.



Idaho Department of Water Resources

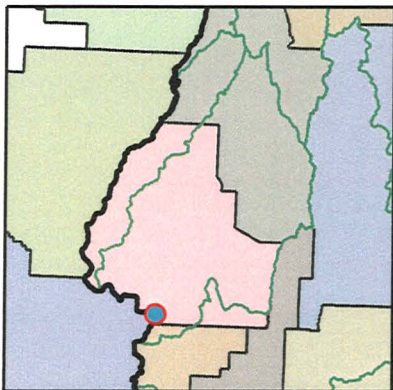
SRBA Recommendation:

67-14236

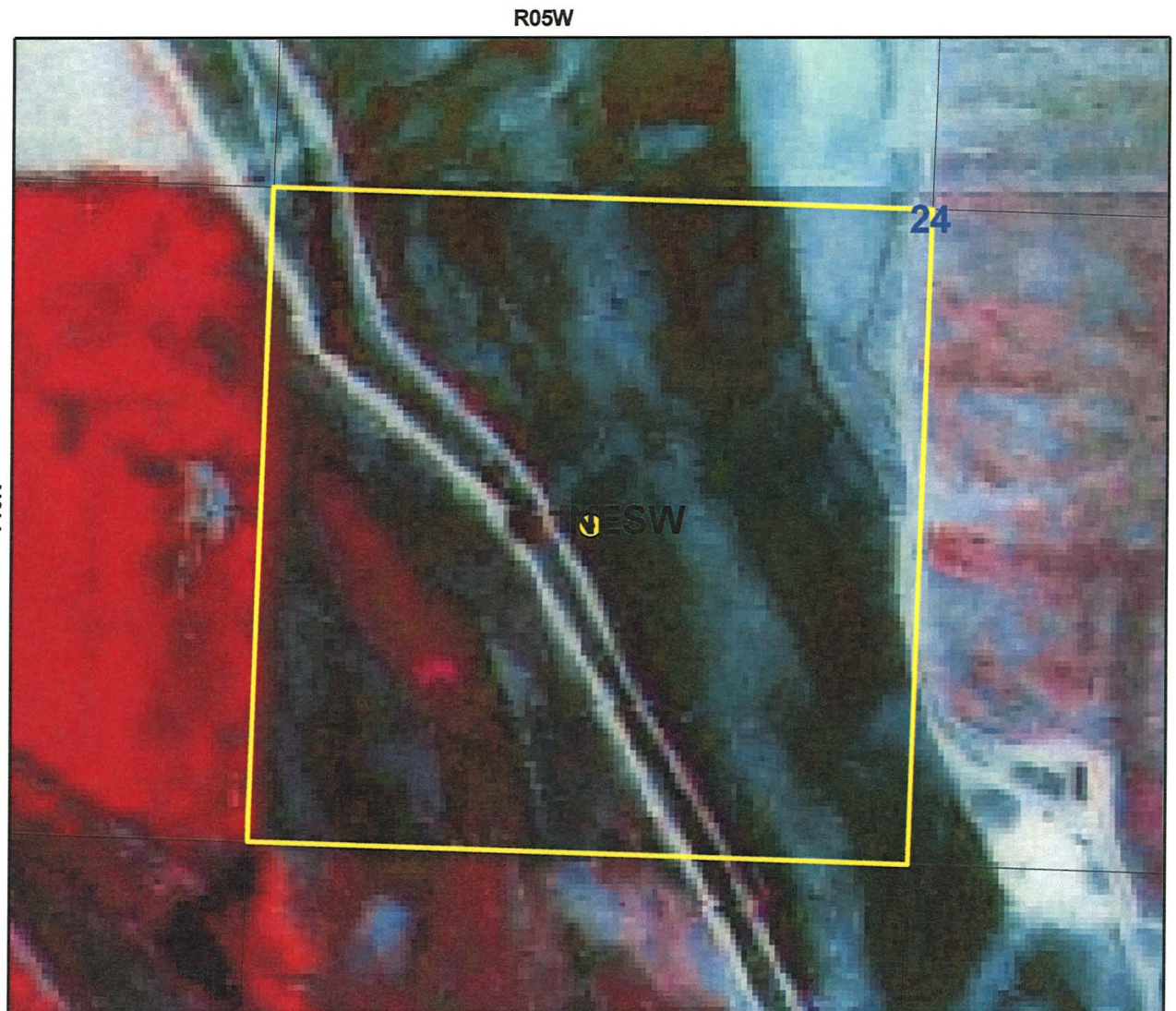
(Stockwater)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Monday, November 13, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14236 V1

WATER RIGHT NUMBER: 67-14236 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARGARET A HARVEY 1772 CAHILL RD WEISER, ID 83672 (208)642-3410
Current Owner	ROBERT I HARVEY 1772 CAHILL RD WEISER, ID 83672 (208)642-3410

Priority Date: 01/01/1984

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 24, Twp 10N, Rge 05W, B.M.
WASHINGTON County		
GROUND WATER	NE1/4SW1/4	Sec. 24, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	05W	24									X								

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. C18 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.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. X02 Stockwater use is for 300 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14236 V1

Remarks:Comments:

1. jdean 11/13/2006 POU/POD

Comment: I used the nominal shaped for POU and POD for this claim. There was no map in the file so I could not use that as a means for finding the correct POD location or a specific POU location. For a small stock claim it did not seem necessary to find all the specific locations.

2. jdean 11/13/2006 Small Stock

Comment: This small stock was recommended according to department standards and as claimed.

3. jdean 11/13/2006 From claim

Comment: Two points of diversion in 10N, 05W, SEC. 24, NESW

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			11/13/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/13/2006 9:50:06 AM	jdean	Updated shape for Active POU
POU	11/13/2006 9:50:19 AM	jdean	Updated PLS for Active POU
POD	11/13/2006 9:48:52 AM	jdean	Updated shape
POD	11/13/2006 9:49:02 AM	jdean	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14236 V1

Summary	11/13/2006 9:58:22 AM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

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: **A67-14236**
Date Received: 5/13/1999
Receipt No: W025189
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MARGARET A HARVEY
Address: 1772 CAHILL RD
WEISER ID

208-642-3410

83672

AND/OR

Name: ROBERT I HARVEY
Address: 1772 CAHILL RD
WEISER ID

208-642-3410

83672

2. Date of Priority: JAN 1, 1984

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	24		NE	SW		WASHINGTON

5. Description of diverting works:
2 WELLS, PIPES TO STOCKWATER TROUGHS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 300 RANGE CATTLE

SCANNED
APR 12 2004

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	24	NE SW		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
TWO POINTS OF DIVERSION IN 10N, 05W, SEC. 24, NESW

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 FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. AG 1-14236
Date Received 5-13-99
Receipt Number W025189

NOTICE OF CLAIM
TO A
WATER RIGHT

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

1. Name of Claimant (s) MARGARET A HARVEY & ROBERT I HARVEY Phone 208 642-3410
Mailing Address 1772 CAHILL Rd Weiser Zip 83672

2. Date of Priority (Only one per claim) 1/1/1984 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 10 N Range R 5 W
Section 24, 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of WASHINGTON

Additional points of diversion if any: BACKUP WELL LOCATED IN NESW, SEC 24, T10N, R5W

5. 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. PIPES FROM BOTH WELLS TO LIVESTOCK WATER TROUGHS

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For STOCKWATER purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.09 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.09 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 300 LIVESTOCK

10. Place of use is: Township: 10N Range 5W

Section 24, NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

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? WASHINGTON

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) Margaret A. Harvey Date 5-13-99

Date _____

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 Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13 day of May 19 99

SEAL

Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant