

RECEIVE

NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

11/14/2006

NOV 29 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: December 8, 2006

Water right number: 67-14609

JOHN D CASTLEBERRY

PO BOX 199

MIDVALE ID 83645

Telephone Number: (208)355-0199

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:

11/24/06

SIGNATURE:

John D. Castleberry

Please print your name:

JOHN D. CASTLEBERRY

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

SCANNED

NOV 30 2006

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 67-14609
Date Received: 8/2/2005
Receipt No: W033240
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN D CASTLEBERRY Phone: (208)355-0199
PO BOX 199
MIDVALE ID USA 83645

2. Date of Priority: 04/30/1998

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	03W	7	NW NE	WASHINGTON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.06	

7. Total Quantity Appropriated is:

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 50 Range Cattle
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	7	NW	NE	DOMESTIC	
			NW	NE	STOCKWATER	

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:

14. Remarks:

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

AUG 02 2005

WATER RESOURCES
WESTERN REGIONIN 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 7-14609Date Received 8/2/05Receipt Number W033240

**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) JOHN D. CASTLEBERRY Phone (208) 355-0199Mailing Address PO Box 199, MIDVALE, ID. Zip 836452. Date of Priority (Only one per claim) 04-30-98 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 13 N Range 3 WSection 7 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of WASHINGTON

Additional points of diversion if any: _____

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. N/A

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

	Month/Day		Month/Day		(cfs)
For <u>DOMESTIC</u> purposes from	<u>1/1</u>	to	<u>12/31</u>	amount	<u>0.06</u>
	(Both dates are inclusive)				
For <u>STOCK</u> purposes from	<u>1/1</u>	to	<u>12/31</u>	amount	<u>0.02</u>

7. Total quantity claimed 0.08 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOUSEHOLD - 50 HEAD CATTLE

JOHN D. CASTLEBERRY

10. Place of use is: Township: 13 N Range 3 W

Section 7, 1/4 of 1/4, Govt. Lot _____, B.M.,

County of WASHINGTON 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

14. Remarks: START CARD PERMIT # D000 3822, WELL DILLER'S REPORT

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 # D000 3822

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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) John D. Castleberry Date 08-06-05

Glenda G. Castleberry Date 08/01/05

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 Washington } SS.

Subscribed and sworn (or affirmed) before me this 1st day of August 192005

SEAL
DEBBIE S. MAXWELL
Notary Public
State of Idaho

Notary Public Debbie S. Maxwell

Residing at Council, Idaho

My Commission Expires 8/24/07

Last Name MAXWELL Ident No. NA

JOHN D. CASTLEBERRY

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____

60465

1. DRILLING PERMIT NO. 67-98-W-0001-000
Other IDWR No. _____

2. OWNER:

Name John D. Castleberry
Address 2285 Keithly CK Rd
City Middle Lake ID State _____ Zip 83645

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W
E
S

		X	

Twp. 1.3 North ☒ or South ☐
Rge. 3 East ☐ or West ☒
Sec. 7 1/4 NW 1/4 NE 1/4
Gov't Lot _____ County Washington
Lat: _____ Long: _____
Address of Well Site 2285 Keithly CK Rd City Middle Lake
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18	300#	Tap Down

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 78 ft
Was drive shoe seal tested? ☒ Y ☐ N How? Air Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	2	78	250	Steel	☐	☐	☒	☐
4 1/2"	83	115	160	PVC	☐	☒	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method SAW
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
-95	-115	1/2 x 4	100	4 1/2"	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

18 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: Tap off casing

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
50			1.00

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 79'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8"	0	18	Brown Clay		☒
6"	18	21	" "		☒
6"	21	29	Cemented Gravel		☒
6"	29	45	Blue Shale		☒
6"	45	48	Brown clay		☒
6"	48	71	Green Blue Shale		☒
6"	71	78	Brown clay		☒
6"	78	115	Sandstone	50	

RECEIVED RECEIVED

MAY 11 1998

MAY 07 1998

Department of Water Resources MICROFILM WATER RESOURCES WESTERN REGION

Completed Depth 115 (Measurable)
Date: Started 4 30 98 Completed 4 30 98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name UHLERKOTT DRILLING Firm No. 125

Firm Official Rog. Uhlert Date 4 30 98

and Wingard Date 4 30 98

Supervisor or Operator Wingard Date 4 30 98

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Idaho Department of Water Resources
1301 North Orchard Boise ID 83706-2237

Write Tag Number Here

0000 3822**Start Card/Permit for a Domestic Well**

(Cold Water 85 degrees or less)

Press Hard

(Not Valid Without Tag Number)

1. Well Owner (please print): JOHN D. CASTLEBERRY
2. Owner's Address: 2285 Keithley Creek Rd. (PO Box 199)
City MIDVALE State Id Zip 83645 Phone() - -
3. Well Location: Twp: 13N Rge: 3W Sec. 7 1/4 1/4 1/4
Gov't Lot No. County Washington Lat : : Long : :
Street Address of Well Site 2285 Keithley CK Rd.
City MIDVALE Lot Block Sub.
4. Well Construction Information:
☒ New Construction, [] Deepen, [] Modify, [] Replace Existing Well (Previous #)
5. Construction Start Date: 4-30-98 6. Well Driller WHELENKOTT License # 125
7. Signature of Driller or Owner [Signature] Date 4-13-98
Submit White Copy to Department of Water Resources

Applicant agrees to comply with the Underground Facilities Damage Prevention Act I.C. 55-2201 et seq. and contact the locator service telephone number Digline 1-800-342-1585 prior to commencing excavation.

JOHN D. CASTLEBERRY

Idaho Department of Water Resources Receipt

Receipt ID W033240

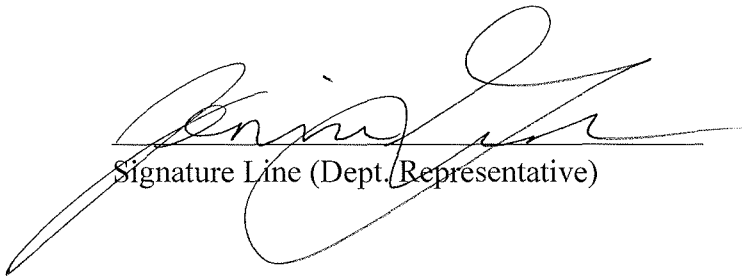
Payment Amount \$25.00 Date Received 8/2/2005 10:17:03 AM Region Western Status ☐
Payment Type Check Check Number 1959

Payer CASTLEBERRY, JOHN D.

Comment FILING FEE FOR WATER RIGHT CLAIM, #39576

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	WATER RIGHT FILING SUBSCRIPTION	0229	21	51100	1755


Signature Line (Dept. Representative)

08/29/2005

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

RIGHT NUMBER: 67-14609

NAME AND ADDRESS: JOHN D CASTLEBERRY
PO BOX 199
MIDVALE ID 83645

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY:

PRIORITY DATE: 04/30/1998

POINT OF DIVERSION:

T13N R03W S7 NWNE Within WASHINGTON 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
DOMESTIC	01/01 12/31	0.060 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within WASHINGTON County

T13N R03W S07 NWNE

STOCKWATER same as DOMESTIC

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

Stockwater use is for 50 range cattle.

Parcel No: RP13N03W070640A

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14609 V1

WATER RIGHT NUMBER: 67-14609 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN D CASTLEBERRY PO BOX 199 MIDVALE, ID 83645 (208)355-0199

Priority Date: 04/30/1998

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	0.020 CFS	
DOMESTIC	01/01 to 12/31	0.060 CFS	

Total Diversion:Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 7, Twp 13N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	03W	7		X															

STOCKWATER same as DOMESTICConditions of Approval:

1. X01 Domestic use is for 1 home.
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. X02 Stockwater use is for 50 range cattle.
4. Parcel No: RP13N03W070640A

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14609 V1

Comments:

1. csaxton 8/29/2005 Recommendation

Comment: Recommend as claimed. Add Parcel and appropriate remarks. Everything looks pretty straight forward though.

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:
 Owner Name Connector:
 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>
Contacts	8/29/2005 11:29:36 AM	csaxton			Active
Summary			08/29/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/29/2005 11:30:25 AM	csaxton	Updated shape
Summary	8/29/2005 11:53:21 AM	csaxton	(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? (Yes) 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?
Contacts	8/29/2005 11:29:27 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POU	8/29/2005 11:49:53 AM	csaxton	Updated shape for Active POU

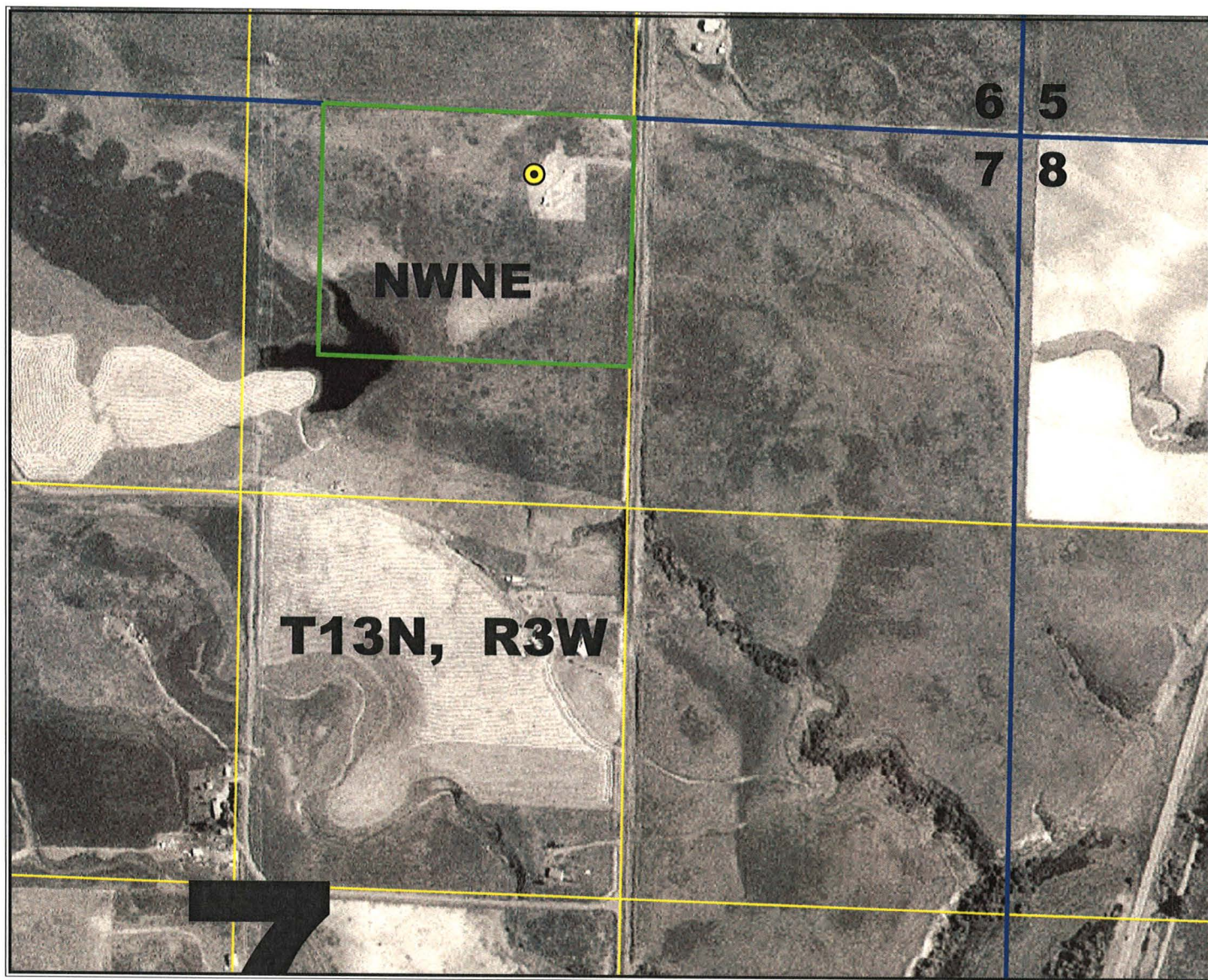


State of Idaho

Map Source: 1998 DOQQ

Claim #(s): 67-14609

Reference Map



1320

0

1320 Feet

● Point of Diversion

□ Claimed Place of Use

□ Tax Lot Property Bndy

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: Domestic
Initial Acres Found: Domestic



Prepared By: Craig L. Saxton
Date: August 2005

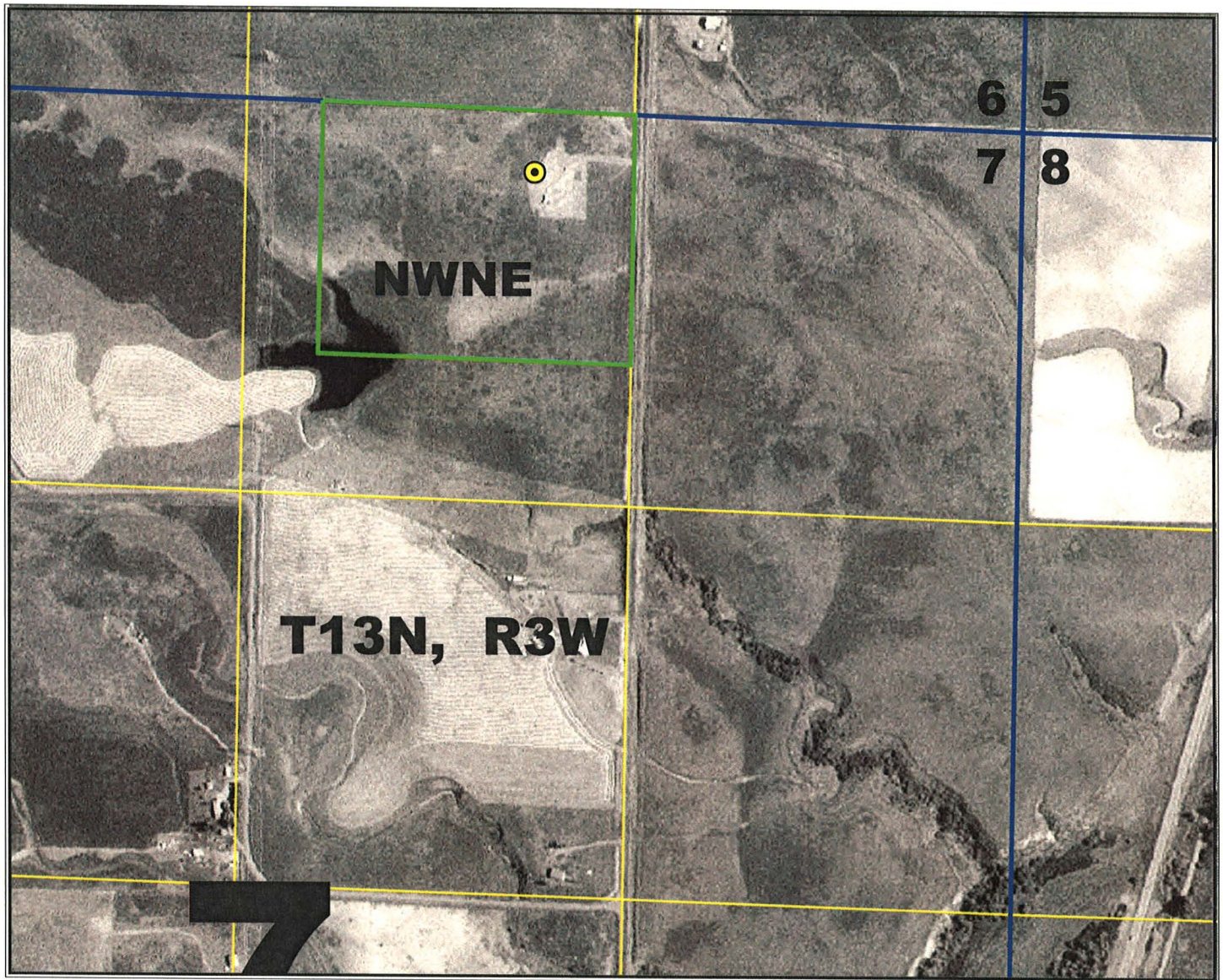


State of Idaho

Map Source: 1998 DOQQ

Claim #(s): 67-14609

Reference Map



1320

0

1320 Feet



Point of Diversion



Claimed Place of Use



Tax Lot Property Bndy



Quarter Quarter Lines



Section Lines

Claimed Irrigated Acres: Domestic
Initial Acres Found: Domestic



Prepared By: Craig L. Saxton

Date: August 2005