

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: 67-14632

RITA BALDERSON
2605 UPPER DALE
COUNCIL ID 83612
Telephone Number: (208)253-6974

WANDA HORTON
2525 N FORK HORNET CREEK RD
COUNCIL ID 83612
Telephone Number: (208)253-6039

LISA A OLSON
PO BOX 305
NEW MEADOWS ID 83654
Telephone Number: (208) 347-2436

DAVID GOSSARD
8495 MIDLAND DR
BOISE ID 83704
Telephone Number: (208)323-8410

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*Not correct amount of acreage.
also correct quantity.*

2. Describe the changes you wish to make in the proposed recommendation:

*Correct acreage to 71 acres.
quantity .71 CFS*

3. Give a brief explanation as to why you disagree with these portions:

*as the ^(additional) map shows, 71 acres are being irrigated.
map filed with 14635*

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

DATE: 11/28/06 SIGNATURE: Lisa A. Olson
Please print your name: LISA A. Olson

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

*this right was recommended for a portion of 67-396.6396
was decreed for 0.71 cfs and 56.8 acres. This right is split
between 67-14631 & 67-14639. Quantities and acres checked out. JD 12/18/06*

09/01/2006

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

RIGHT NUMBER: 67-14632

NAME AND ADDRESS: RITA BALDERSON
2605 UPPER DALE
COUNCIL ID 83612

WANDA HORTON
2525 N FORK HORNET CREEK RD
COUNCIL ID 83612

LISA A OLSON
PO BOX 305
NEW MEADOWS ID 83654

DAVID GOSSARD
8495 MIDLAND DR
BOISE ID 83704

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.430 CFS

PRIORITY DATE: 12/31/1889

POINT OF DIVERSION:

T17N R02W S5 NWNESW Within ADAMS County

T17N R02W S5 NENESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.430 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R02W S04	SWSW	20.80	T17N R02W S05	SESE	1.20
T17N R02W S09	NWNW	12.80			

34.8 ACRES TOTAL

Right Nos. 67-14632 and 67-14635 are limited to the irrigation of a combined total of 34.8 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 - Decreed

The following rights are diverted through point of diversion described above: 67-14631, 67-14632, 67-14633, 67-14634, & 67-14635.

This right is a split from former right 67-396.



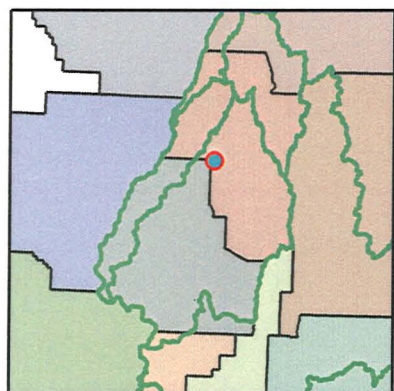
Idaho Department of Water Resources

SRBA Recommendation:

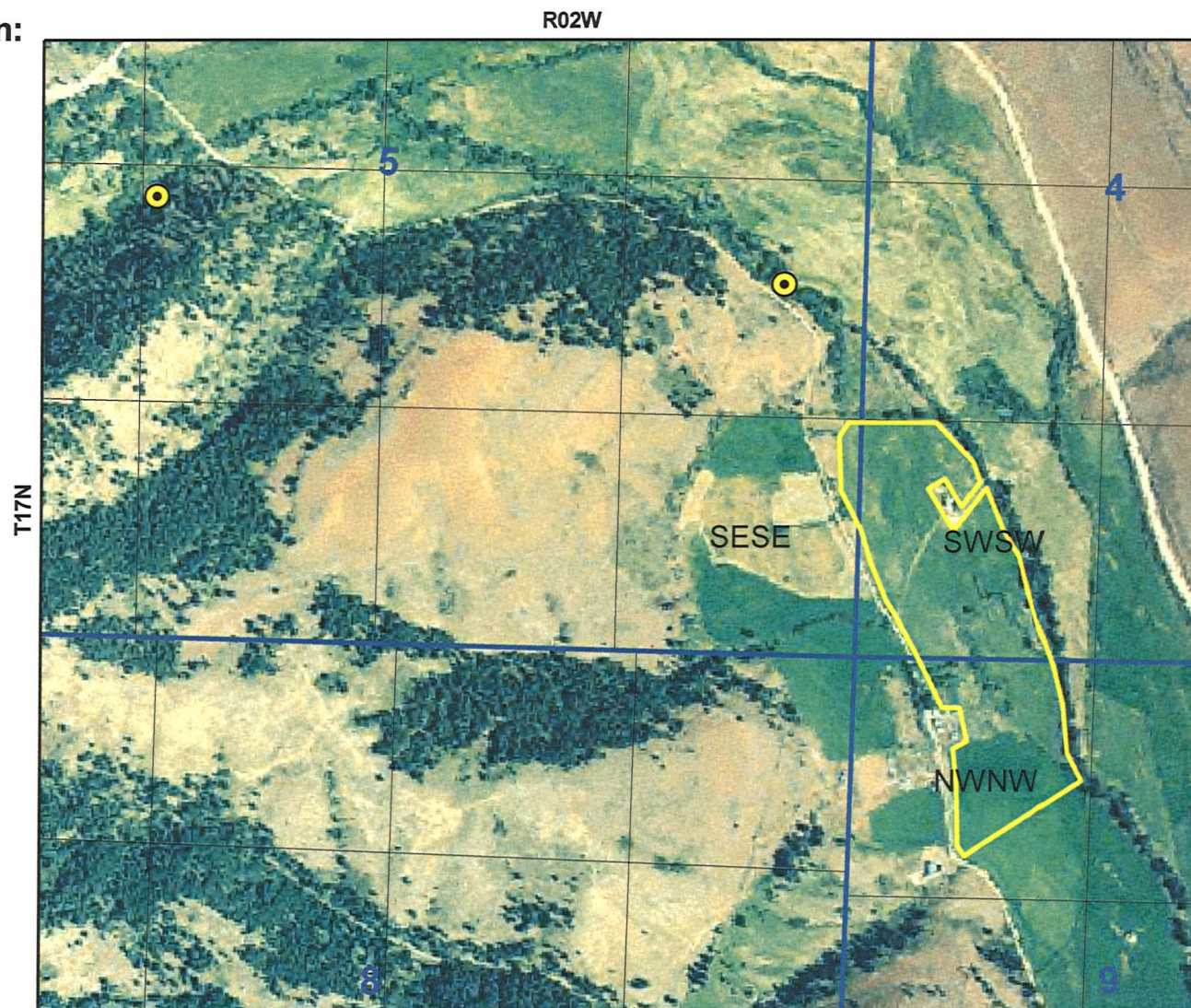
67-14632

Legend

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



Adams County
IDWR Basin 67

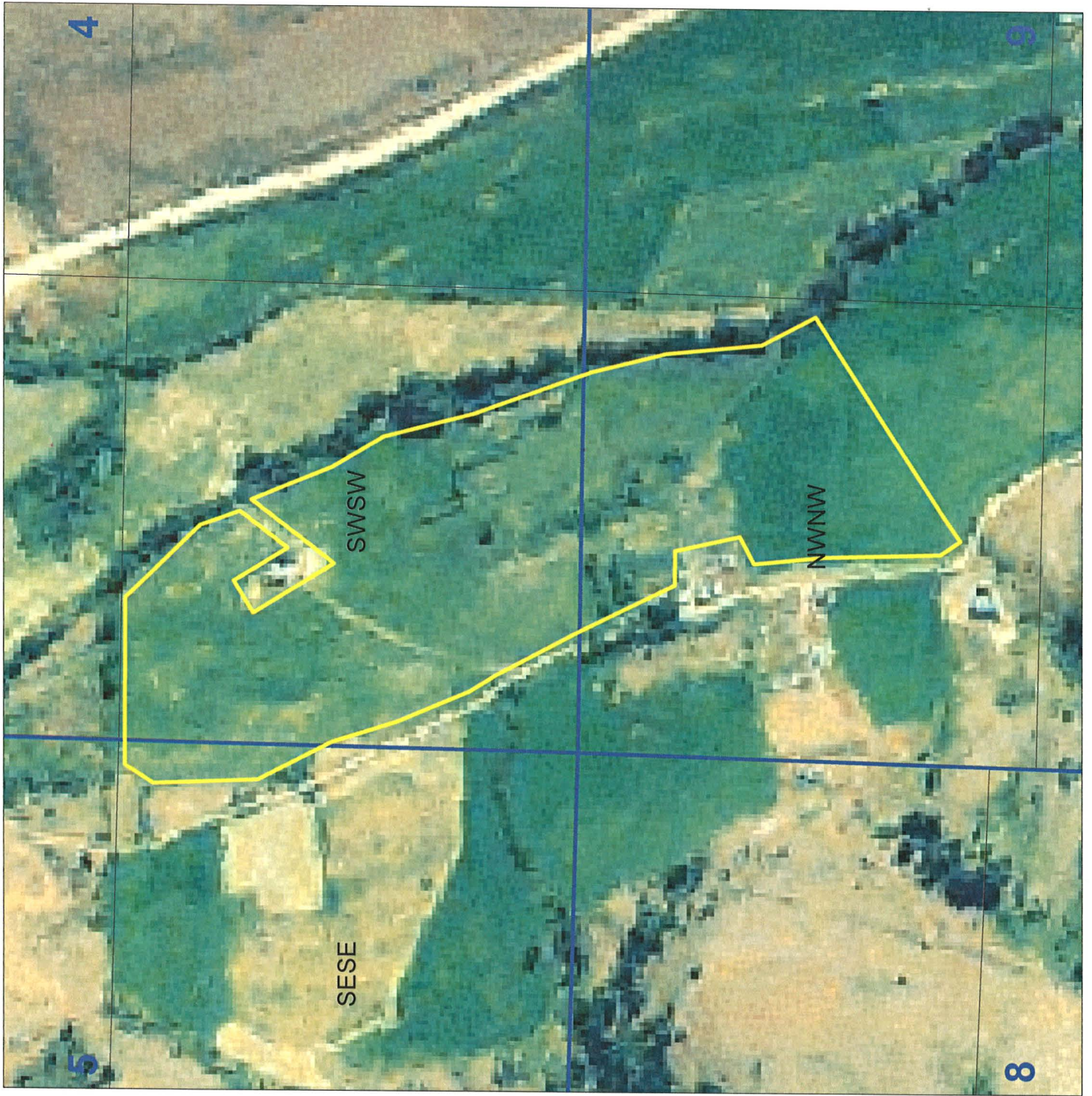


0 0.4 0.8 Miles



Prepared by J. Dean
On Friday, September 1, 2006
1987/88 Aerial Photography

67-14632



Adjudication Recommendation Report 67-14632 V1

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	MAC GOSSARD 2694 UPPER DALE RD COUNCIL, ID 83612-5039 (208)253-4318
Current Owner	RITA BALDERSON 2605 UPPER DALE COUNCIL, ID 83612 (208)253-6974
Current Owner	WANDA HORTON 2525 N FORK HORNET CREEK RD COUNCIL, ID 83612 (208)253-6039
Current Owner	LISA A OLSON PO BOX 305 NEW MEADOWS, ID 83654 (208) 347-2436
Original Owner	A KAMPETER , ID
Current Owner	DAVID GOSSARD 8495 MIDLAND DR BOISE, ID 83704 (208)323-8410

Status: Active

<u>Source</u>	<u>Tributary</u>
HORNET CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.430 CFS	
	Total Diversion:	0.430 CFS	

HORNET CREEK ADAMS County	NW1/4NE1/4SW1/4	Sec. 5,	Twp 17N,	Rge 02W, B.M.
HORNET CREEK ADAMS County	NE1/4NE1/4SE1/4	Sec. 5,	Twp 17N,	Rge 02W, B.M.

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14632 V1

		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 02W	4												20.8					20.8
17N 02W	5																1.2	1.2
17N 02W	9							12.8										12.8

Total Acres: 34.8

Conditions of Approval:

1. 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.
2. F06 The following rights are diverted through point of diversion described above: 67-14631, 67-14632, 67-14633, 67-14634, & 67-14635.
3. This right is a split from former right 67-396.
4. E55 Right Nos. 67-14632 and 67-14635 are limited to the irrigation of a combined total of 34.8 acres in a single irrigation season.

Remarks:Comments:

1. jdean 9/1/2006 POD

Comment: The claimed POD appeared to be off of Fir Creek rather than Hornet Creek. The recommended PODs were obtained from field exams for claim 67-4144.

2. jdean 9/1/2006 Season of Use

Comment: The season of use for this particular claim was determined based upon the lower portion of Hornet Creek. This changes it from the season that is in the standard season from IDWR for this exact location.

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: OR

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14632 V1

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	9/1/2006 4:10:07 PM	jdean			Active
Priority Date	9/1/2006 4:11:19 PM	jdean			Active
POD	9/1/2006 4:13:55 PM	jdean			Active
Source	9/1/2006 4:14:22 PM	jdean			Active
POU	9/1/2006 4:15:44 PM	jdean			Active
Use	9/1/2006 4:16:26 PM	jdean			Active
Season	9/1/2006 4:23:20 PM	jdean			Active
Summary			09/01/2006	jdean	Active
Quantity	9/1/2006 4:32:39 PM	jdean			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/1/2006 4:12:42 PM	jdean	Updated PLS
Source	9/1/2006 4:14:22 PM	jdean	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
Contacts	9/1/2006 4:10:07 PM	jdean	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: Wanda Horton Contact Phone Number: 253-6039 Date of Field Exam: 6/6/05 10:30 AM Directions to Property:
General	9/1/2006 4:11:19 PM	jdean	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/1/2006 4:12:06 PM	jdean	Updated PLS
POD	9/1/2006 4:12:32 PM	jdean	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14632 V1

POD	9/1/2006 4:13:56 PM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required?
POU	9/1/2006 4:15:45 PM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	9/1/2006 4:24:10 PM	jdean	Updated shape for Active POU
POU	9/1/2006 4:24:24 PM	jdean	Updated PLS for Active POU
Summary	9/1/2006 4:32:09 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 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? (Yes) 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?
Quantity	9/1/2006 4:32:39 PM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POD	9/1/2006 4:11:53 PM	jdean	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14632 V1

Use	9/1/2006 4:16:26 PM	jdean	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	9/1/2006 4:23:20 PM	jdean	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

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 67-14632
Date Received: 10/26/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

RITA BALDERSON Phone: (208)253-6974

2605 UPPER DALE
COUNCIL ID USA 83612

WANDA HORTON Phone: (208)253-6039

2525 N FORK HORNET CREEK RD
COUNCIL ID USA 83612

LISA A OLSON Phone: (208) 347-2436

PO BOX 305
NEW MEADOWS ID USA 83654

DAVID GOSSARD Phone: (208)323-8410

8495 MIDLAND DR
BOISE ID USA 83704

2. Date of Priority: 12/31/1889

3. Source: HORNET CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	02W	8	SE SW SE	ADAMS	

5. Description of diverting works:

HEADGATE LATERALS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.53	

7. Total Quantity Appropriated is:
0.53 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	02W	4	SW	SW	IRRIGATION	30
					Section Acres	30
17N	02W	5	SE	SE	IRRIGATION	1
					Section Acres	1
17N	02W	9	NW	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	71

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:

14. Remarks:

This right is a split from former right 67-396.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 28, 2005

LISA A OLSON
PO BOX 305
NEW MEADOWS ID 83654

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-14632 and 67-14635

Dear Claimant:

As a result of obtaining a portion of the property and water rights from Mac and Ethel Gossard, the identification numbers to your water rights have been changed as follows:

<u>From</u>	<u>To</u>
67-396	67-14632
67-4144	67-14635

Please use the new numbers in future inquiries or correspondence you may have with our Department.

Enclosed are copies of your water right claims. Please retain these copies for your file.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED

OCT 28 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

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Governor

KARL J. DREHER
Director

October 28, 2005

RITA BALDERSON
2605 UPPER DALE
COUNCIL ID 83612

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October 28, 2005

DAVID GOSSARD
8495 MIDLAND DR
BOISE ID 83704

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Adjudication Bureau

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SCANNED

OCT 28 2005