

11/14/2006

DEPARTMENT OF
WATER RESOURCES

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: 67-14791

MARK SANDS

PO BOX 614

WEISER ID 83672

Telephone Number: (208) 355-6388

1840 Deer Cr. Rd.

(208) 549-2545 (H) (208) 989-9322 (W)

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

No mention of Stock Pond and no map included

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

$$\text{Surface Area} = 0.234 \text{ acres} \times 43,560 \text{ sq ft} = 10,206 \text{ sq ft} \times 6 = \frac{61,234 \text{ cubic ft}}{43,560 \text{ cubic ft}} = 1.4 \text{ acre ft}$$

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

This Pond has been in existence since the property was homesteaded in 1904. Source was Ken Ebright (previous owner) as it was explained to him by Fred Hust. Fred grew up on the homestead and was born in 1925 and is now deceased.

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

DATE: 12-5-06

SIGNATURE:

Mark A. Sands

Please print your name:

Mark A. Sands

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

Address updated 12/8/06 by DBF.

No need to include storage because for deminimus stock up to 14.6 afy can be stored per year. jn

12/20/06

SCANNED

DEC 08 2006



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

RECEIVED

DEC 06 2006

DEPARTMENT OF
WATER RESOURCES

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MARK SANDS
1840 DEER CREEK RD
WEISER ID 83672-5558

RE: Snake River Basin Adjudication
Notice of Claim to a Water Right #67-14791

Dear Claimant:

The Postal Service advised us your address has changed to the above address.

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.

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 before returning this letter, **list any other water rights you have**, and return this letter by December 12, 2006. 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. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Mark A. Sands
Water Right Holder's Signature

(208) 549-2545
Telephone No.

SCANNED

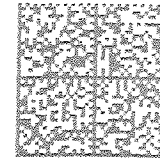
DEC - 7 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

67- 14791

PRESORTED
FIRST CLASS



02 1A \$ 00.29³
0004389390 NOV 20 2006
MAILED FROM ZIP CODE 83702

RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

MARK SANDS
PO BOX 614
WEISER ID 83672

SAND614* 836722006 1906 06 11/23/06
RETURN TO SENDER
SANDS
1840 DEER CREEK RD
WEISER ID 83672-5558

RETURN TO SENDER

1840 DEER CREEK RD
WEISER ID 83672

11/23/06 11:11:11

SCANNED
DEC - 7 20

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
MAILED FROM ZIP

SAND614* 836722015 1906 13 11/20/06
FORM 3547

SANDS
1840 DEER CREEK RD
WEISER ID 83672-5558



MARK SANDS
PO BOX 614
WEISER ID 83672

RECEIVED
NOV 27 2006
DEPARTMENT OF
WATER RESOURCES

67-14791
Record updated 12-7-06
by S. Sherman

SCANNED
JAN 10 2008

Split Analysis - Water Right No.: 67-4076

Twp	Rng	Sec	Q-Q	Lot	Parent	Children	
					67-4076 (Ebright)	67-14790 (Robidoux)	67-14791 (Sands)
13N	5W	36	NWSE		Domestic	Domestic	
13N	5W	36	NWSE		Stock	Stock	Stock
13N	5W	36	SWSE		10	10	
Total					10	10	0



Right No:	Rate of Diversion	Irrigated Acres	CFS/ Acre
67-4076 (Ebright)	0.26	10	0.020
67-14790 (Robidoux)	0.25	10	0.020
67-14791 (Sands)	0.01	0	0.000



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

November 17, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MARK SANDS
PO BOX 614
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14791

Dear Claimant:

As a result of obtaining a portion of the property and water rights from Kenneth and Norma Ebright, the identification number to your water right has been changed as follows:

From
67-4076

To
67-14791

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

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 claim.

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
Enclosure:

Notice of Claim to a Water Right

SCANNED

NOV 17 2006

11/10/2006

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

RIGHT NUMBER: 67-14791

NAME AND ADDRESS: MARK SANDS
PO BOX 614
WEISER ID 83672

SOURCE: SPRING TRIBUTARY: DEER CREEK

QUANTITY: 0.010 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/27/1904

POINT OF DIVERSION:
T13N R05W S36 NENWSE 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	0.010 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County
T13N R05W S36 NWSE

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 67-4076.



Idaho Department of Water Resources

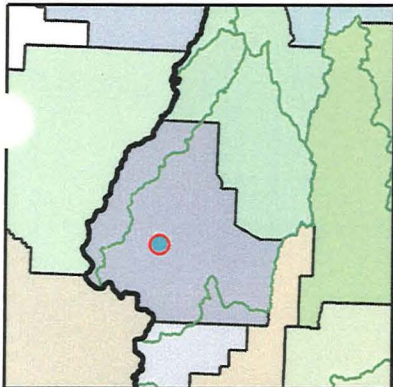
SRBA Recommendation:

67-14791

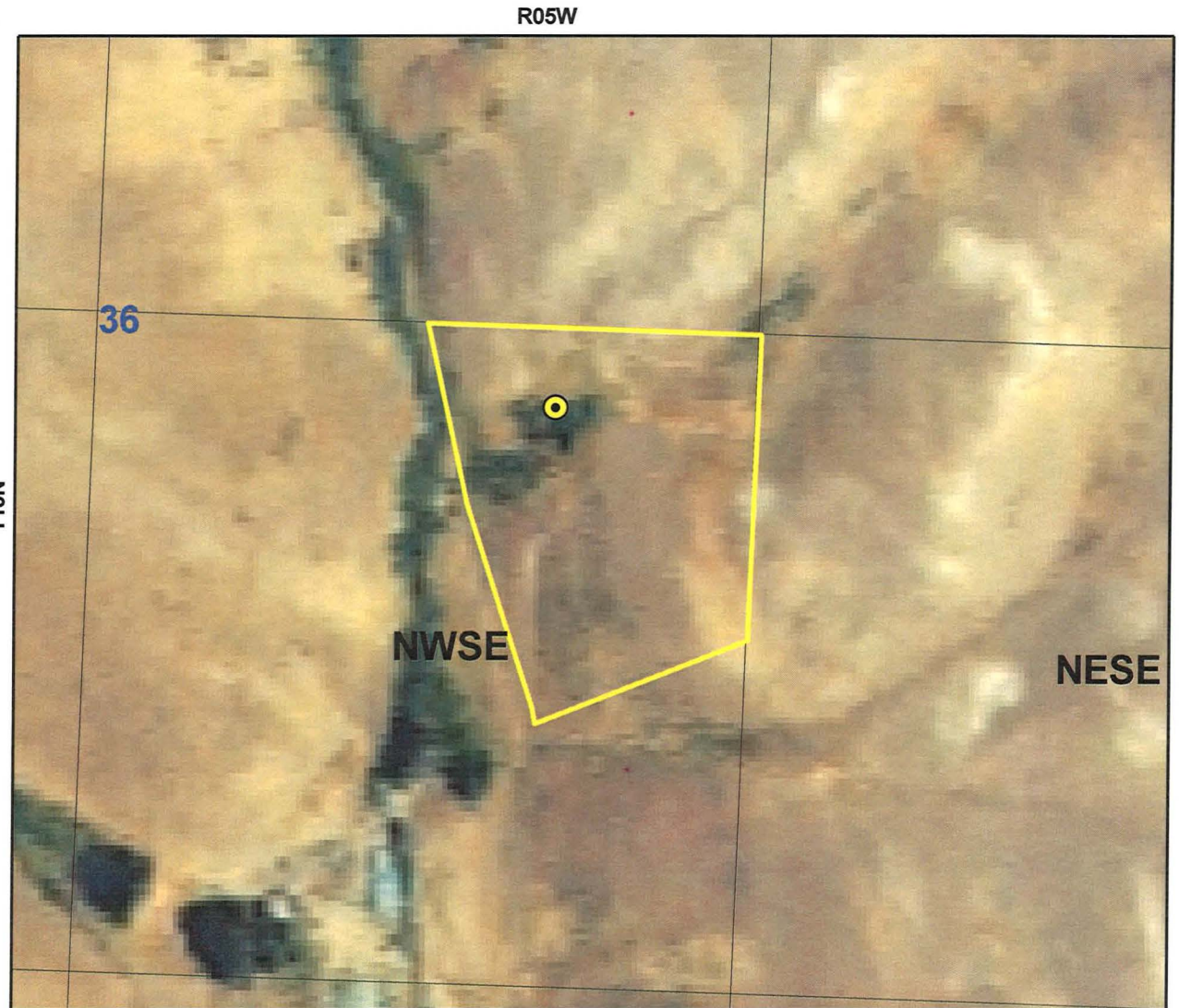
(Stockwater)

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 Friday, November 10, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14791 V1

WATER RIGHT NUMBER: 67-14791 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LESTER M BAGLEY 1349 HOOVER RD WEISER, ID 83672 (208)549-2739
Current Owner	MARK SANDS PO BOX 614 WEISER, ID 83672 (208) 355-6388
Previous Owner	KENNETH E EBRIGHT 1827 DEER CREEK RD WEISER, ID 83672 (208)549-3998
Original Owner	CHRISTINE BAGLEY RT 2 BOX 128 WEISER, ID 83672
Previous Owner	NORMA J EBRIGHT 1827 DEER CREEK RD WEISER, ID 83672 (208)549-3998

Priority Date: 01/27/1904

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	DEER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.010 CFS	
<u>Total Diversion:</u>		0.010 CFS	

Location of Point(s) of Diversion

SPRING	NE1/4NW1/4SE1/4	Sec. 36, Twp 13N, 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
13N	05W	36														X			

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14791 V1

Conditions of Approval:

1. This right is a split from former right 67-4076.
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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:

1. jdean 11/10/2006 Small Stock

Comment: This small stockwater claim was recommended as claimed and according to department standards for de minimus stockwater claims.

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: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	11/10/2006 3:28:21 PM	jdean			Active
Summary			11/10/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/10/2006 3:28:21 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POD	11/10/2006 3:35:25 PM	jdean	Updated shape
POD	11/10/2006 3:44:10 PM	jdean	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14791 V1

POU	11/10/2006 3:46:13 PM	jdean	Updated shape for Active POU
POU	11/10/2006 3:46:20 PM	jdean	Updated PLS for Active POU
Summary	11/10/2006 3:57:24 PM	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? (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?

Water Supply Bank: