

05/18/2004

**NOTICE OF ERROR
REPLY**

RECEIVED
JUN 21 2004
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 our recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2004

Water right number: 86-7204

CITY OF KENDRICK

PO BOX 195

KENDRICK ID 83537

Telephone Number: (208)289-5157

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

*This well was abandoned with a request
for a transfer of water right to #86-7365.*

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: 6-18-04

SIGNATURE: Steven A. Howerton

Please print your name: Steven A. Howerton

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

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Introduction

ERO Resources Corporation examined the records of the Idaho Department of Water Resources to identify those water rights the City of Kendrick has developed and recorded with the Idaho Department of Water Resources. Those water rights total 0.736 cfs, or about 330 gallons per minute, from ground water plus 0.04 cfs, about 18 gallons per minute, from Stanton Spring and a new application for permit the City has filed for water from the Potlatch River in the amount of 0.57 cfs, about 256 gallons per minute.

This analysis was undertaken to assist J-U-B Engineers, Inc. recommend to the City a plan for the development of a reliable water supply. The City has experienced recent well production declines that have necessitated development of a plan to ensure a reliable water supply for the City in the future.

Existing Water Rights

The City currently holds five water rights in addition to the application for permit for the use of water from the Potlatch River. The table below summarizes those water rights by identification number, priority date, source of water, and diversion rate in cfs.

<i>Water Right Number</i>	<i>Priority Date</i>	<i>Source of Water</i>	<i>Diversion Rate – cfs</i>
# 1 86-4232 ✓	8/2/1960	Ground water	0.268 cfs
Stanton Spring # 2 86-4234 ✓	5/29/1936	Stanton Spring	0.04 cfs
# 3 86-4235	4/1/1952	Ground water	0.078 cfs
# 4 86-7204 abandoned	6/30/1983	Ground water	0.08 cfs
86-7365	12/22/1998	Ground water	0.31 cfs

Even though some of the City's wells have lost production, the water rights themselves are still viable and can be used from a new point of diversion if a well can be satisfactorily constructed, maintained, and operated. The failure of the physical structure of a well does not impair the underlying water right unless a use of water is simply abandoned and after five years of nonuse the right could be forfeited unless moved to and utilized through a new diversion works.