

08/20/2004

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: September 30, 2004

Water right number: 85-4029

GARNER SEVENTY FOUR INC
28423 GOLDNER RD
LAPWAI ID 83540

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:

Aug. 27, 2004

SIGNATURE:

Garner Seventy Four, Inc. Barbara Benister
Barbara Benister

Please print your name:

BARBARA BENSCOTER

IDWR State Office, P.O. Box 83720, Boise, ID 83707-9815

08/20/2004

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

RECEIVED
AUG 30 2004
DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 85-4029
NAME AND ADDRESS: GARNER SEVENTY FOUR INC
28423 GOLDNER RD
LAPWAI ID 83540

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.250 CFS
33.30 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1957

POINT OF DIVERSION:
T36N R01W S27 NENE Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.170 CFS 33.30 AFY
STOCKWATER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within NEZ PERCE County

T36N R01W S27	NENE	4.7	T36N R01W S27	SENE	3.8
T36N R01W S27	NESE	1.0			

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

9.5 ACRES TOTAL

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 for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use