

Memorandum

To: Carter Fritschle, Water Rights Supervisor
From: Don Kerby, Cherrylane Ranches Inc.
Date: August 31, 2004
RE: Water Rights Basin 85

Enclosed are 3 Notice of error reply's for our irrigation water rights in Nez Perce County.

First I apologize that I am a day late responding to this information. These were mailed out from your office on 8/24/04 and I was out of town all of last week until Sunday night, thus did not see this until Monday night.

At any rate, I was rather disappointed to see the errors on your maps. I spent considerable time preparing aerial photos and maps for your man at the Lewiston office and when I last talked to him, thought he understood perfectly what was ours and what was irrigated. However as you can see, each of these has some inaccuracies.

I hope that I have adequately shown whomever reviews these what is irrigated and why I believe there are errors. If there are any questions at all, please call me at my office, Western Appraisals in Lewiston at (208)746-9891.



1014 Main Street
Lewiston, Idaho 83501

(208) 746-9891
(208) 746-9895 FAX

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: 85-2173A

CHERRYLANE RANCHES INC

~~RT-1 BOX 109~~ 19022 Kerby Lane

LENORE ID 83541

Telephone Number: (208)276-3342

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
irrigated acreage is inaccurate, therefore quantity probably inaccurate
2. Describe the changes you wish to make in the proposed recommendation:
Change map boundaries + recalculate
3. Give a brief explanation as to why you disagree with these portions:
The official USDA acreage of the Field is 67.8 acres, one corner + the entire pasture area south of Field also is irrigated, estimated Additional 6 acres. Total irrigated acreage should approximate 74 acres.

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

DATE: 8/31/04

SIGNATURE: Don A. Kerby

Vice Pres (208)746-9891

Please print your name: Don A. Kerby

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

2726
34135

1835
11702

123.8

244.0

85-2173A

Cherrylane Ranches Inc.

Official FSA ~~acres~~ ^{tillable acreage}

67.8 acres, Irrigated Pasture
along back side ~ 6ac

Total irrigated 74 acres

Corrected Map
irrigated area in Pink

08/20/2004

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

RIGHT NUMBER: 85-2173A

NAME AND ADDRESS: CHERRYLANE RANCHES INC
RT 1 BOX 109
LENORE ID 83541

SOURCE: CLEARWATER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY:

1.213 CFS

may change as acreage changes

PRIORITY DATE: 04/08/1947

POINT OF DIVERSION:

T37N R03W S34 NWSENE Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/15 11/30

1.213 CFS

PLACE OF USE:

IRRIGATION Within NEZ PERCE County

T37N R03W S26 Lot 5 SWSW	0.1	T37N R03W S26 Lot 5 SESW	0.9
T37N R03W S34 Lot 3 NENE	3.6	T37N R03W S34 Lot 4 SENE	22.0
T37N R03W S35 NENW	2.8	T37N R03W S35 Lot 1 NWNW	25.0
T37N R03W S35 SWNW	9.1		

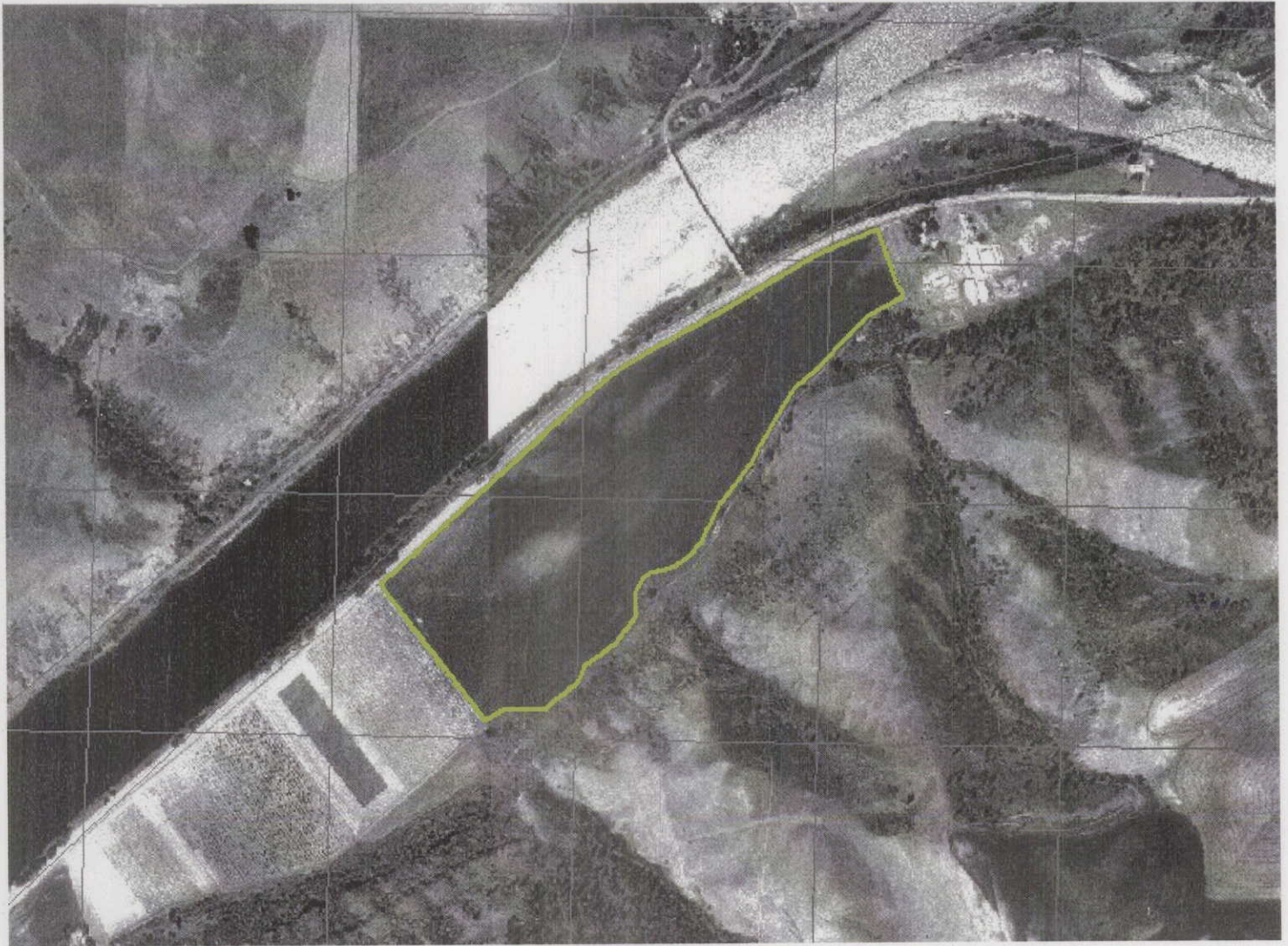
74 ac ~~63.5~~ ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

85-2173A



900 0 900 1800 2700 3600 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the numerical values above it.

T37N R03W S26 S34 & S35

