

08/20/2004 RECEIVED

NOTICE OF ERROR
REPLY

SEP 07 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 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: 85-11531

KENNETH W MC INTOSH

2505 GRELLE

LEWISTON ID 83501

Telephone Number: (208) 743-1647

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: 8/31/04

SIGNATURE:

Doug McIntosh

Please print your name: Doug McIntosh for Kenneth W. McIntosh estate

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

SEP 07 2004

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 85-11531

NAME AND ADDRESS: KENNETH W MC INTOSH
2505 GRELLE
LEWISTON ID 83501

SOURCE: SPRING

TRIBUTARY: LINDSAY CREEK

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 12/31/1964

POINT OF DIVERSION:

T35N R04W S17 SWSESE Lot 18 Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.080 CFS

PLACE OF USE: DOMESTIC Within NEZ PERCE County

T35N R04W S17 Lot 16 SWSE

T35N R04W S17 Lot 18 SESE

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 based on any of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use