

**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: June 3, 2005

Water right number: 37-59G

HENRIETTE M NEWELL
PO BOX 584
SHOSHONE ID 83352
Telephone Number: (208)886-2598

CHARLES E NEWELL
PO BOX 584
SHOSHONE ID 83352
Telephone Number: (208)886-2598

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

Source, Point of diversion, Conveyance Loss

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

*The source has always been listed as: Little Wood River, Trib. To Maled R.
The point of diversion has been TS 5S R 17E Sec 33+34
No conveyance Loss*

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

Please see below

I don't I AGREE with this proposed recommendation: ~~no~~ changes need to be made.

DATE: 6-2-05 SIGNATURE: Charles E Newell
Please print your name: Charles E Newell

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

*The quantity of water has always been 1,000 cfs and the water was measured at point of diversion at: TS 5S R 17E Sec. 33+34
(Please see IDWR page)*

*There has never been a conveyance loss for this water right.
The full amount of 1,000 cfs has always been delivered when this water right was in use.*

04/12/2005

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

RIGHT NUMBER: 37-59G
NAME AND ADDRESS: HENRIETTE M NEWELL
PO BOX 584
SHOSHONE ID 83352

CHARLES E NEWELL
PO BOX 584
SHOSHONE ID 83352

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
POINT OF INJECTION INTO JIM BYRNS SLOUGH THAT FLOWS INTO THE LITTLE
WOOD RIVER. POINT OF REDIVERSION FROM THE LITTLE WOOD RIVER.

QUANTITY: 1.000 CFS

PRIORITY DATE: 05/27/1899

POINT OF DIVERSION:

~~T02S R18E S30 SWSENE Within BLAINE County~~
~~T03S R19E S19 SWNE NE Injection Within LINCOLN County~~
~~T04S R19E S25 SENWSE Injection Within LINCOLN County~~
T05S R17E S33 NENE NE Rediversion Within LINCOLN County
T05S R17E S33 NENE NE Rediversion Within LINCOLN County
T05S R17E S34 SWSWNE Rediversion Within LINCOLN County
T05S R17E S34 SENWNW Rediversion Within LINCOLN County

- stock only

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.000 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S28	SWSE	7.8	T05S R17E S28	SESE	9.7
T05S R17E S33	NENE	15.0	T05S R17E S34	NENW	11.0
T05S R17E S34	NWNW	11.0	T05S R17E S34	SWNW	5.7
T05S R17E S34	SENE	17.0			

77.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 37-432 & 37-21135 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 77.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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 - Decreed

RIGHT SUBJECT TO 27% CONVEYANCE LOSS; 0.73 CFS CAN BE
REDIVERTED FROM LITTLE WOOD RIVER.