



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 16, 2003

RECEIVED  
APR 21 2003  
Department of Water Resources  
Eastern Region

KILGORE LIVING TRUST  
1502 S MINK CK RD  
POCATELLO ID 83204

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) claims 29-02257, 29-02323, and 29-13244

Dear Mr. and Ms. Kilgore,

I received your notice of error (NOE) reply on April 15, 2003. Per our discussion on April 9, 2003 and reviewing your NOE, I feel I can remove the diversion rate limitation all together.

After a discussion with my supervisor it was brought to my attention that IDWR allows up to 1 ½ inches per acre for irrigation rights where the irrigated place of use is 5 acres or less. Between your spring and creek right we recommended 4 acres.

So instead of changing the limiting remark for diversion rate to 0.11 cfs, I just removed it completely because it is not necessary. This means you can use the full 0.07 cfs licensed from the East Fork of Mink Creek and the full 0.04 cfs licensed from the spring at the same time totaling 0.11 cfs on your four acres.

I hope this satisfies your concerns.

Please feel free to contact me with any questions. If the recommendations look satisfactory, no further action needs to be taken. You will be notified by the SRBA court at the time the directors report is issued.

Respectfully submitted,

Craig L. Saxton  
Sr. Water Resource Agent  
Adjudication Bureau

Enclosure(s)