

11/20/2006

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: 12/13/2006

SCANNED

DEC 13 2006

Water right number: 75-10137B

TERRY J HERSHEY
PO BOX 121
CARMEN ID 83462
Telephone Number: (208)756-5202

VERALYN E HERSHEY
PO BOX 121
CARMEN ID 83462
Telephone Number: (208)756-5202

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

Quantity of water right

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

No change to the existing (0.09 CFS) decreed water right.

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

Recommended change/reduction to existing decreed right does not take into consideration the water loss occurring during ditch delivery. The place of use approximately 7 miles removed from the point of delivery. Delivery system is an unlined, open ditch.

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

DATE: 12/13/06

SIGNATURE: Terry Hershey

Please print your name: Terry Hershey

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D'Alene, ID 83815, 2087622800

Also, the recommended quantity reduction seems to be arbitrary and capricious in that there wasn't any collaborative effort on behalf of IDWR to work with water right holders in the determination of changes to existing decreed water rights.