

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

Water right number: 75-~~4333~~ 4333

CARMEN LAND & LIVESTOCK INC

C/O DAVE MC FARLAND

PO BOX 124

CARMEN ID 83462

Telephone Number: (208)756-3752

RECEIVED

DEC 15 2006

IDWR/North

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

Quantity & Period of Use

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

Increase Quantity To 11.2 cfs

Increase period of use To 11-18

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

Idaho Fish & Game measurements were 17 cfs in 2 diversions in 23N22E35NNE
I was using that historically plus ~ 3 cfs in the other diversion. I think I can
survive wisely with 16 cfs total in all three diversions.
See enclosed affidavit on period of use.

☒ I AGREE with this proposed recommendation: ~~no~~ Changes need to be made.

DATE: 12-05-06

SIGNATURE:

Dave McFarland

Please print your name: Dave McFarland

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

Affidavit for water right # 75-4333

I, David McFarland testify that I or my partners have used irrigation water beneficially as late as November 18. The place of use was Carmen Creek on the land described in water right #----- 75-4333

----- Carmen Creek has excess flows in parts of May, June and July. After that the flows are small enough that all irrigated areas cannot be maintained. Thus, by using water in November we can salvage plant populations for the following year. This increases expected crop yields by using the water stored in the soil to sustain the new crop until it can be irrigated in the spring. Limited creek flows in the spring make it hard to get all lands irrigated properly on time making stored soil moisture very valuable.

Signed: David McFarland

Date: 10-12-06