

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: 75-14381

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4712 2537

RECEIVED

DEC 15 2006

IDWR/Booth

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

Place of use

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

Add narrow southern portion of covered (4.419) acres to the "Place of use" designation on the map. See red on map.

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

When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.

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

DATE: *12-14-06*

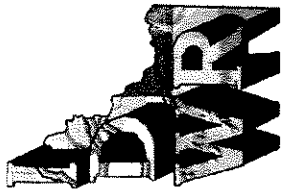
SIGNATURE: *Fredde Howarth-Nott Separate*

Please print your name: *Property Trust by Fredde Howarth-Nott*

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

I never irrigate all of my land at once. The main lawn around the home has an underground automatic sprinkler system. Each station waters one hour daily, one at a time.

The pastures are watered 1-2 hours per day in the hottest parts of summer. It is my opinion that I don't come close to using the allowed amount of water and adding the land to the right won't use more water than currently allowed.



Idaho Department of Water Resources

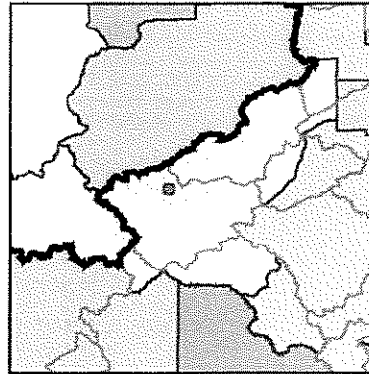
SRBA Recommendation:

75-14381

(Irrigation)

Legend

- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 75



R22E



T22N



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

12/12/06

~~Water~~

I am forwarding, via the following, my exception and response to your letter of 15 Nov 06 regarding your recommendations to SBRA for my current water right claim(s).

My exception is based on the acreage cited in your enclosed "Preliminary Recommendation of Water Rights Acquired Under State Law", dated 11/20/2006. Your document cites "10 acres total" within the place of use as opposed to the actual parcel size of 17 acres.

I suspect the discrepancy may be the result of an earlier lot split, with a water right transfer submitted without my knowledge (perhaps initiated by a well-meaning albeit uninformed realtor) - this transfer was nevertheless acknowledged in your letter dated Nov 21, 2003, enclosed.

Please note the diversion cited in your letter is cited as located on the "Salmon River North Fork". This diversion delivers water to the Hull property only, is downstream from the subject property and has never been used to irrigate the subject property. Rather, the diversion serving the subject (Ferrell) property is the Sheep Creek tributary of the Salmon River North Fork.

Therefore, your reference in the forgoing letter as to 10 acres allocated to the Ferrell property from this source is irrelevant and is neither applicable nor accurate.

Rather, I would suggest you refer to claim number #A75-04298B. This was a renumbering executed by IDWR and described in your letter of 23 Mar 93 which allocates 10.00 C.F.S. from the Sheep Creek source for a 50 acre parcel. Further, I would call your attention to the now inaccurate aerial photo dated 20 Nov 2006, enclosed in your referenced letter dated 15 Nov 06.

A portion of the 50 acres has since been sold. The remaining acreage

~~water~~
irrigated from

this source (Parcel A - 17.11 Acres is described in an excerpt from a current survey recorded

in Lemhi County) and enclosed for your reference.

Please revise your map and database to reflect 17.11 acres and assuming a water

allocation of 0.02 CFS per acre adjust your allocation to .34 CFS.

Thank you for your attention and my appreciation for your efforts in a gargantuan

task.


Jared F. Ferrell