

RECEIVED

JAN 19 2007

DEPARTMENT OF
WATER RESOURCES

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: 01/19/2007

Water right number: 37-4151

IDAHO FOUNDATION FOR PARKS & LANDS INC

5657 WARM SPRINGS AVE.

BOISE ID 83716-8700

Telephone Number: (208)344-7141

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

Disagree with the finding of "no beneficial use".

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

Delete finding of "no beneficial use".

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

A 1994 review of pond sites by Cindy Thiede reflected use of ponds by aquatic and land animals; Review of site and ponds by Karl Gephardt of Resource Systems in 2004, demonstrated: "currently, the property provides a large sanctuary for terrestrial and aquatic habitat".

Beneficial use is a non-consumptive use for protection of fish and wildlife habitat, aquatic life and recreation.

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

DATE: January 19, 2007

SIGNATURE: _____

Chas F. McDevitt

Attorney for the Idaho Foundation for Parks and Lands

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

