

RECEIVED

MAR 29 2018

DEPARTMENT OF
WATER RESOURCES

Jeffrey G. Merkeley

16301 E Bunco Road
Athol, ID 83801
208.683.2473
jeff@merkeley.com

Sent by Certified Mail:

March 20, 2018
Carter Fritschle, Adjudication Section Manager
State of Idaho
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83707-9815

RE: CSRBA Water Right 95-9814

To Whom it May Concern:

Please find enclosed our "Notice of Error Reply" form completed for our Water Right 95-9814 (the original Water Right No. of 96-07530 was revised to 95-9814)..

There were several mistakes made on our adjudication filing made in June of 2009. It was our understanding that the original Water Right Diversion Point(s) and Beneficial Use Place(s) would remain and that additional (located on adjacent Parcel under different ownership) Diversion Points and Beneficial Use Places could be added to this Water Right 95-9814.

Our review of the documents we received recently on CSRBA indicates that most of the original Diversion point(s) and Beneficial Place(s) of Use have been deleted and the new Diversion Point(s) and Beneficial Place(s) of Use have been added.

THESE CHANGES ARE NOT SATISFACTORY, AND WE REQUEST THAT EVERYTHING BE CHANGED BACK TO THE ORIGINAL LICENSE PERMIT DETAILS—See Following:

ORIGINAL WATER RIGHT LICENSE DETAILS:

Location of Point(s) of Diversion: SWSW, Sec. 21, Township 53N Range 02W
NENE, Sec. 29, Township 53N Range 02W
Kootenai County

Place of Use: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>Acres</u>	<u>Acres</u>	<u>Acres</u>	<u>Total</u>
53N	02W	20	SESE	3		3
53N	02W	20	NENE	15	SENE 12	27

Total Number of Acres Irrigated: 30

Please see attached original water right and map that we wish to return Points of Diversion and Places of Use to. We apologize for the confusion and mistake we made in inquiring about using water on adjacent parcel(s) in Sect. 28 that is under different ownership.

Please contact me at 208 920-0442 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey G. Merkeley". The signature is fluid and cursive, with the first name "Jeffrey" being more prominent.

Jeffrey G. Merkeley, Managing Member
Lewellen Creek Ranch

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02/09/2018 MAR 29 2018

NOTICE OF ERROR
REPLY

DEPARTMENT OF
WATER RESOURCES

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: March 30, 2018

Water right number: 95-9814

DANA MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048

WARD MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048
Telephone Number: 2086832473

JEFF MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048

208 683 2473 208 920 0442

TYLER MERKELEY
16301 E BUNCO RD
ATHOL ID 83801

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

point of diversion was changed
place(s) of use were changed
see attached letter

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

Revises to the original diversion point(s)
and place(s) of use. See attached documents
and cover letter.

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

There was confusion over how to expand
diversion points and place(s) of use on
adjacent properties with different ownership.

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

DATE: 3/20/2018

SIGNATURE:

Jeff G. Merkeley managing Member
Jeffrey G. Merkeley

Please print your name: