

NOTICE OF ERROR
REPLY

RECEIVED
02/09/2018

MAR 29 2018

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: 95-11790

KEVIN SHANLEY
17252 N SMITH AVE
HAUSER ID 83854

Telephone Number: ~~2086913752~~ 509-370-2994

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

See Attached

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

See Attached

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

See Attached

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

DATE: March 27, 2018

SIGNATURE:

Kevin Shanley
Kevin Shanley

Please print your name:

IDWR Regional Office, 7600 N MINERAL DR STE 100, COEUR D ALENE, ID 83815-7763, (208) 762-2800

Notice of Error

Reply

Water Right Number: 95-11790

Kevin Shanley

17252 N. Smith Ave

Hauser Idaho 83854

Telephone Number: 509-370-2994

Original Contact at IDWR: Allen Beardslee

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

Priority Date: I purchased my home with 2 ea 10 acre parcels on **June 13, 2008**, and have used surface waters from both parcels, and on both parcels, since this date. The 2 parcels are;

51N05W067500 (10 acres with house)

51N05W067650 (additional 10 acres)

The surface water is from multiple onsite creeks that are all tributaries to Hauser Creek. The surface waters were initially the only water available for my beneficial use, until I had my first well installed and ready for use on August 14, 2008. Since August 14, 2008 I have used at least 10 GPM (0.022cfs) from the well, in addition to still using the surface waters for water needs away from the home site. Surface waters have primarily been used for irrigation and tree seedling propagation within my tree farm. **I do claim irrigation and agricultural water rights.**

On July 6, 2015 I purchased another, adjoining, 10 acre parcel: 51N05W068400. This parcel also has creeks that are tributaries to Hauser Creek, and these are also used by me primarily for irrigation and tree seedling propagation.

On April 4, 2016 I had an additional well drilled and put into use. This well has been utilized at 15 GPM (0.033cfs) since its installation.

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

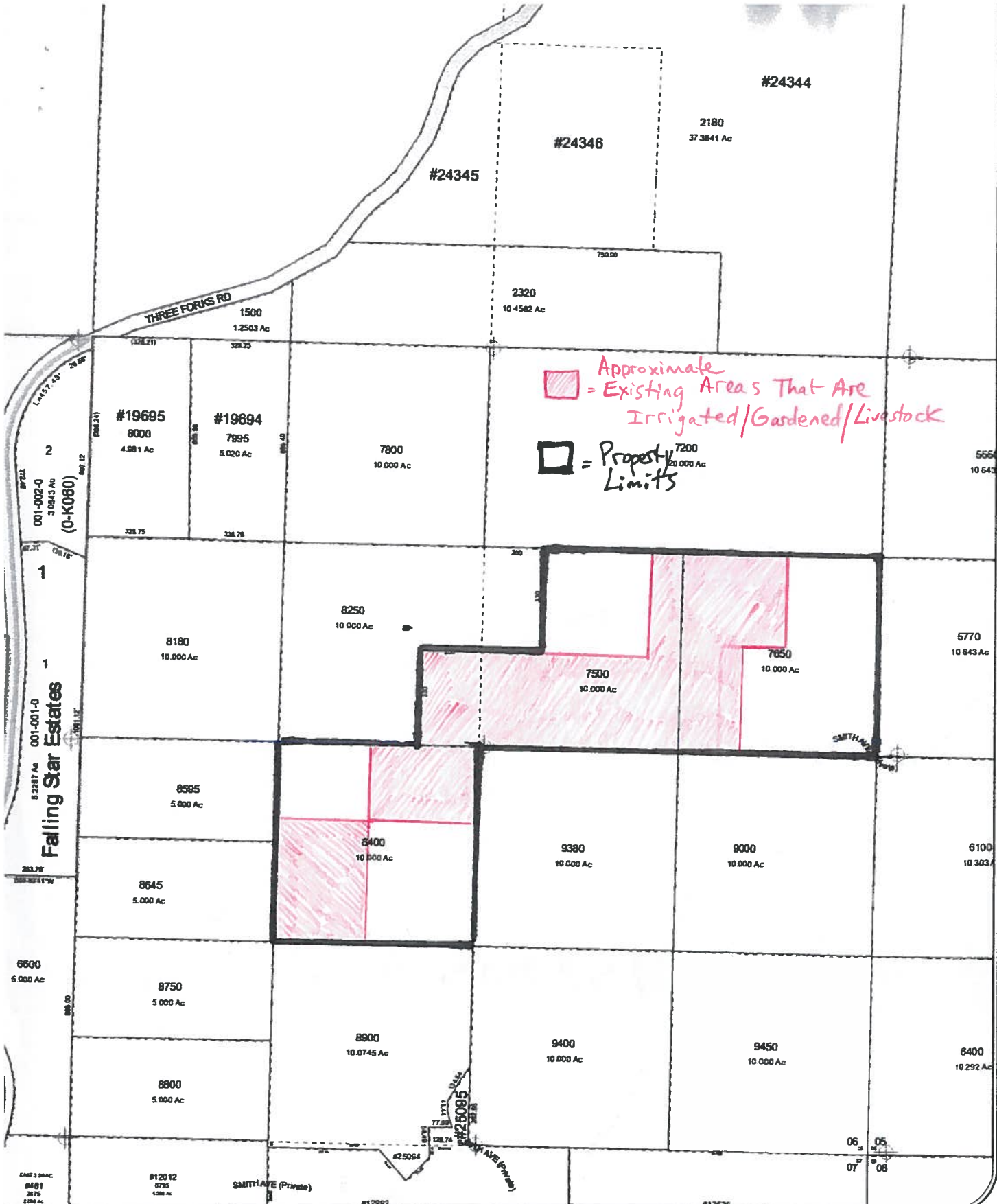
I am proposing that one or both of the following changes be made relative to my water rights;

- Increase my water rights for the parcel with my home (51N05W067500, claim 95-11790) to **0.067cfs (30 GPM)** since I am utilizing 2 drilled wells and surface waters for the beneficial use of all 3 parcels
- Grant me separate water rights on all 3 parcels for 0.022CFS (10 GPM) per parcel, since all 3 parcels have been utilizing this quantity of water since purchase, and this most accurately divides my usage across my parcels.

Regardless of which option above is approved, **I do claim irrigation and agricultural water rights, in addition to the domestic use associated with the 1 home.** I have a small farm, with livestock, orchard and gardens.

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

I disagree with the portion of 0.020 CFS (8.97 GPM) since it doesn't even allow me to use 1 well at 10 GPM. I have 2 wells (10 GPM and 15GPM) that are both in use, and I utilize surface waters primarily for irrigation and seedling propagation. This water use is and always has been across my acreage (30 acres total), which is why I am requesting 30 GPM (0.067cfs) for my home site parcel (51N05W067500, claim 95-11790) and/or at least 10 GPM (0.022cfs) for each of the 3 parcels.



Sec. 06 Twp 51 N. R. 5 W. B. M.