



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

April 19, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN W MC FARLAND
PO BOX 254
KENDRICK ID 83537

RE: Water Right Nos. 86-04001, 86-11916 and 86-11924

Dear Mr. McFarland:

We received your letter inquiring about the above water rights on April 11, 2005. In response to your letter, we offer the following:

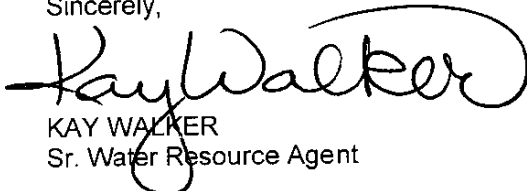
Rt. 86-04001 was decreed on February 24, 2005 for irrigation and stockwater purposes from the Potlatch River. Enclosed, for your records is a copy of the partial decree. You are correct when you stated that this right does not include a domestic use. If you believe that this right should have included a domestic use you will have to file a motion with the court to set aside the partial decree that was issued and then you will need to amend your claim on this right to include the domestic use. The Department would then review the amended claim and made recommendations to the court again.

In regard to your statement concerning the priority date of **Rt. 86-11924**. You stated that the priority date for this right should be 1910. Please be advised that you filed for use from the springs and groundwater sources under this right on January 3, 2003. If you believe that the use of water under this right has existed since 1910 you should have filed a claim on the uses in the Snake River Basin Adjudication. You filed an application for permit on these uses that indicates to us that the system had not been developed yet and you were requesting a permit to develop the uses. Please note that this right was filed and approved for the irrigation of 28 acres, irrigation storage, irrigation from storage, stockwater storage, stockwater and stockwater from storage purposes. I have enclosed a copy of the permit for your convenience.

Rt. 86-11916 has been decreed for domestic and stockwater purposes, from springs, and the priority date of this right goes back to June 15, 1910. Enclosed, for your files is a copy of the partial decree issued on this right.

If you feel changes need to be made to the rights that have been partially decreed you should contact Ken Knoblock of our Northern Regional Office in Coeur d'Alene at (208) 769-1450. If you need additional assistance in regard to your water right permit, feel free to contact me at (208) 287-4953.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

Cc: Ken Knoblock, IDWR, Northern Region