

02/25/2003

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: April 21, 2003

Water right number: 29-12873

KENNETH HEINLEIN  
1940 BARTON RD  
POCATELLO ID 83204  
Telephone Number: (208) 332-2977

313-1393

RECEIVED

APR 15 2003

Department of Water Resources

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

THERE HAS ALWAYS BEEN HORSES AND LIVE STOCK ON THIS PROPERTY. I SUBMITTED YEARS AGO A REQUEST FOR LIVESTOCK WATER RIGHT WHICH YOU INTENTED TO ME YOU LOST AND CANNOT FIND. I ALSO

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

PUT IN A REQUEST FOR AN IRRIGATION RIGHT WHICH YOU LOST. THE OWNER WHO OWNS THIS LAND BACK IN THE 1950/1960S SAID THAT HE HAD A

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

IRRIGATION LINE THAT CAME ALL THE WAY DOWN FROM CHINIS PEAK.

I STRONGLY DISAGREE

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

DATE: 4/12/03

SIGNATURE:

Please print your name:

KENNETH HEINLEIN

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

IN ADDITION TO THIS.  
PREVIOUS LAND OWNERS HAVE IRRIGATED THIS LAND TO SUPPLY FEED FOR THEIR GOATS AND HORSES FROM THE EXISTING WELL. I RESUBMIT TO YOU AGAIN MY REQUEST FOR STOCK AND IRRIGATION WATER RIGHT FOR MY FIVE ACRES. IF YOU SEE A PROBLEM WITH THIS PLEASE LET ME KNOW A.S.A.P SO I MAY SEEK COUNSEL. ENCLOSED IS A NOTARIZED LETTER OF SUPPORTING EVIDENCE FROM ONE OF MY NEIGHBORS. ~~SEEK~~ OVER →

State of Idaho  
Department of Water Resources  
Eastern District Office  
900 North Skyline Drive, Suite A  
Idaho Falls, ID 83702-1718

Dear Mr. Warner:

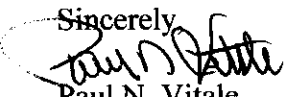
Our neighbor, Ken Heinlein, at 1940 Barton Road, Pocatello, tells us that your department has no record of his filing for a water right in 1995. At your suggestion that a neighbor might supply some historical information, he asked us to do so. Hence this letter.

We have lived across the road from his residence for thirty years and have known the various owners and their animal operations. In the mid 1960's, Mr. Russ Mager kept two horses on the property. Mr. Mager sold the property to Richard and Carla Miller and they kept two horses and a donkey.

In the late 1970's and early 80's, Susan and Larry McPherson maintained a small goat herd of ten animals. This herd was kept for a period of five to seven years.

We hope that this provides the necessary history for water use on the Heinlein property. If you need further information, feel free to call us at 208-232 5998.

Sincerely,

  
Paul N. Vitale

  
Jane Vitale

1969 Barton Road  
Pocatello, ID 83204

  
NOTARY PUBLIC RESIDING IN POCATELLO ID. 83201

~~MY COMMISSION EXPIRES~~ 11-2-2004

**JILL WATKINS**  
NOTARY PUBLIC  
STATE OF IDAHO