

05/05/2004

**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: May 21, 2004

Water right number: 74-42

ELLSWORTH ANGUS RANCH

PO BOX 60

LEADORE ID 83464

Telephone Number: (208)768-2664

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

Refer to right # 74-7006

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

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

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

DATE: 11/22/04

SIGNATURE: Carl Ellsworth

Please print your name: _____

IDWR State Office, 1301 N Orchard St, Boise, ID 83706, 208-327-7925

RECEIVED
MAY 11 2004
IDWR
WATER RIGHTS

05/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-42

NAME AND ADDRESS: ELLSWORTH ANGUS RANCH
PO BOX 60
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 4.800 CFS

USE OF THIS RIGHT WITH RIGHT NO. 74-66 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.74 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 74-67 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.89 CFS.

PRIORITY DATE: 11/01/1888

POINT OF DIVERSION:
T15N R26E S8 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	4.800 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T15N R26E S02 Lot 1 NENE	16.1	T15N R26E S02 Lot 2 NWNE	35.5
T15N R26E S02 SWNE	14.3	T15N R26E S02 SENE	40.0
T16N R26E S35 SWNW	18.3	T16N R26E S35 NESW	25.0
T16N R26E S35 NWSW	10.3	T16N R26E S35 SWSW	24.5
T16N R26E S35 SESW	25.0		

209 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 74-66, 74-67, 74-110, 74-111, AND
74-2320 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 452.4
ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed