

Dawe

02/18/2003

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: 29-4202

HENDERSON RANCHES INC
1414 DELPHIC WAY
POCATELLO ID 83201-2293

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

- A- Priority date
- B- Point of diversion
- C- Place of use
- D- Total acres irrigated

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

- A- 1881 or 1884 (Historical + Claim filings differ, one or the other probably a typo.)
- B- Please check the T10S R37E S7SESW for accuracy.
- C- Irrigation from storage should include in T10S R37E S18 NWNW + NENW, 30 acres, and in T10S R37E S7 SESW, 10 acres. - 31.0 acres irrigated

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

- A- My father who died in 1996, wrote an affidavit in 1995 that applies to this claim. In the affidavit he mentions 1924, the date recommended. He gave this as the date when the cut was made + says that previously the water was carried by a ditch that went around the berm. The family had historical knowledge back to the dates claimed. See attached affidavits. IDWR has the notarized ones.
- B- Recommendation appears too far west.
- C- See below

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

DATE: March 20, 2003

SIGNATURE: Alice H. Dunn

Please print your name: Alice H. Dunn, secretary, Henderson Ranches, Inc.

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

3-C- The water from the pond drains westward through a cut in the old railroad bed into a ditch that waters land east of Marsh Creek that is low enough, and a pipe carries the water across Marsh Creek to also water land west of the creek including a triangular tip of land extending into section 7.

3-D- The present tenant irrigates about 33 acres with this water. When operated by Henderson Ranches owners, a different system of irrigation watered much more. The water from this and several sources were mixed. They calculated 320 acres at the time of the historical use filing + 298 acres at adjudication filing.

RECEIVED

APR 21 2003

Department of Water Resources
Eastern Region