

**NOTICE OF ERROR
REPLY**

APR 23 2003
Department of Water
Eastern District Office

Water Right No.: 29-52

Portneuf Marsh Valley Canal Co Ltd.
c/o Ellis Gilbert, President
2777 East Hawkins Road
Downey, Idaho 83234

Claimant returns this Notice of Error Reply form to IDWR to request IDWR change its Preliminary Recommendation or to let IDWR know that Claimant agrees with its recommendation as indicated below.

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

Place of use.

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

Increase the number of irrigated acres to 5066.8 acres as claimed. Additionally, the irrigated acres should be located within the boundaries of Claimant's Irrigation System. This boundary is described in the December 4, 1922 Decree entered in *Union Grain & Elevator Co. v. McCammon Ditch Company, et al*, Case No. 2205, Right No. 42, page 24. Claimant is in the process of reviewing IDWR maps to identify more accurately a legal description for the current boundary and place of use, and will supply this information to IDWR.

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

The recommended 4136 acres omitted certain acres that have been historically irrigated by Claimant.

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

Portneuf Marsh Valley Canal Company, Ltd.

Date: April 21, 2003

By: _____

ELLIS GILBERT, President

Print: _____

Mailed to: IDWR Regional Office, 900 N. Skyline Drive, Ste A, Idaho Falls, Idaho 83402, 208-525-7161

Please direct any questions and send a copy of all Notices and other communications to Claimant's attorney:

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