

10/20/2005

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:

Water right number: 1-28D

RALPH O WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208) 254-3186

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
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: 11/10/05 SIGNATURE: Randall C. Budge

Please print your name: Randall C. Budge, Attorney For Applicant

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

RECEIVED

NOV 15 2005

Department of Water Resources
Eastern Region

LAW OFFICES OF

**RACINE OLSON NYE BUDGE & BAILEY
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SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

BOISE OFFICE

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*ALSO MEMBER WY & IL BARS

**ALSO MEMBER UT BAR

†ALSO MEMBER D. C. BAR

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November 10, 2005

Jennifer Crabtree
Technical Records Specialist
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Re: *Ralph O. Wheatley*
Water Right Nos. 1-169F, 1-28D

Dear Ms. Crabtree:

As attorney for applicant Ralph O. Wheatley under the above-captioned water right numbers, we are returning herewith a completed Notice of Error Reply for each right.

Please provide the factual and legal basis upon which the Department "disallowed" Right No. 1-169F. We believe this right should be allowed as claimed and note that it has in fact undergone previous review and approval by the Department for purposes of acceptance into the State Water Supply Bank from 2003 to date.

Please contact me if you have any questions.

Sincerely,



RANDALL C. BUDGE



RCB:rr

Enclosures

cc: Ralph O. Wheatley