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DEC 12 2005

DEPARTMENT OF
WATER RESOURCES

LAW OFFICES

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December 12, 2005

Via Hand Delivery

Mr. Don Shaff
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Notice of Error Reply—Cartwright Ranch LLC
GP File No. 7839-1

Dear Don:

Enclosed please find the completed Notice of Error form for water right 63-5207. Our client Cartwright Ranch, LLC recently acquired the property to which this right is appurtenant, along with other appurtenant water rights, from the Neville ownership group. I have included a completed the Notice of Change of Ownership form. We received the Notice of Error package from the Nevilles for water right 63-5207, but have not yet received the package for the other water rights. However, based on our review of the recommendations for water rights 63-3321 and 63-3285 on the Department's website, we believe these recommendations also are in error and should match the licensed elements of the rights.

Sincerely,

John M. Marshall

JMM:amm

Enclosure

cc: Ennis Dale (w/encl.)

S:\CLIENTS\7839\JMM to Shaff w Notice of Error Reply.DOC

12/06/2005

**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: December 12, 2005

Water right number: 63-5207

DAVID L NORDLING
3122 EDSON TERRACE
BOISE ID 83705
Telephone Number: (208)342-7322

GLORIA D NEVILLE
3122 EDSON TERR
BOISE ID 83705
Telephone Number: (208)344-3188

YOSHIE CAMERON NORDLING
3122 EDSON TERRACE
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H WILLIAM NEVILLE
3122 EDSON TERR
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MARGUERITE NEVILLE
3122 EDSON TERR
BOISE ID 83705
Telephone Number: (208)342-7322

THOMAS F NEVILLE
3122 EDSON TERRACE
BOISE ID 83705-2317
Telephone Number: (208)342-7322

R DOUGLAS NEVILLE
3122 EDSON TERR
BOISE ID 83705
Telephone Number: (208)342-7322

FORTUNATA P NEVILLE
3122 EDSON TERRACE
BOISE ID 83705-2317
Telephone Number: (208)342-7322

MARTHLYN B NEVILLE
3122 EDSON TERR
BOISE ID 83705
Telephone Number: (208)342-7322

JAMES L NEVILLE
3122 EDSON TERR
BOISE ID 83705
Telephone Number: (208)342-7322

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

A. Name and Address - should be Cartwright Ranch LLC

B. Quantity - should be 5.48 cfs

C. Place of Use - should be 254 acres

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

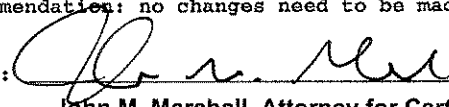
See above.

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

We have not seen any information to date to justify recommendation's reduction of the right as originally developed.

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

DATE: 12/12/05

SIGNATURE: 

John M. Marshall, Attorney for Cartwright Ranch LLC

Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

12/06/2005

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

RIGHT NUMBER: 63-5207

NAME AND ADDRESS: DAVID L NORDLING
3122 EDSON TERRACE
BOISE ID 83705

GLORIA D NEVILLE
3122 EDSON TERR
BOISE ID 83705

YOSHIE CAMERON NORDLING
3122 EDSON TERRACE
BOISE ID 83705

H WILLIAM NEVILLE
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MARTHLYN B NEVILLE
3122 EDSON TERR
BOISE ID 83705

JAMES L NEVILLE
3122 EDSON TERR
BOISE ID 83705

SOURCE: DRY CREEK
SPRING

TRIBUTARY: BOISE RIVER
TRIBUTARY: DRY CREEK

QUANTITY: 1.120 CFS

The rights listed below are limited to a total combined diversion rate of 1.1
cfs. Combined Right Nos.: 63-3321A, 63-3285A and 63-5207.

PRIORITY DATE: 01/01/1908

POINT OF DIVERSION:

T04N R02E S4 NWSW End of Stream Flow Within ADA County
T04N R02E S4 SESW Within ADA County
T04N R02E S9 SWNW Begin of Stream Flow Within ADA County
T04N R02E S9 SWNW Begin of Stream Flow Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	1.100 CFS
STOCKWATER FROM STORAGE	01/01 12/31	0.020 CFS
IRRIGATION FROM STORAGE	03/01 11/15	0.75 AFY
STOCKWATER STORAGE	01/01 12/31	0.75 AFY
IRRIGATION STORAGE	01/01 12/31	0.75 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S04	NWSW	11.3	T04N R02E S04	SWSW	1.6
T04N R02E S05	SWNE	17.7	T04N R02E S05	SENE	5.8
T04N R02E S05	NESE	17.0	T04N R02E S05	NWSE	1.7

STOCKWATER Within ADA County

T04N R02E S04	NWSW	T04N R02E S04	SWSW
T04N R02E S08	NENE	T04N R02E S09	NWNW
T04N R02E S09	SWNW		

STOCKWATER FROM STORAGE Within ADA County

T04N R02E S09	SWNW
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IRRIGATION FROM STORAGE same as IRRIGATION

55.1 ACRES TOTAL

55.1

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 63-3321A, 63-32835A and 63-5207.

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 - Beneficial Use

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Stockwater use is for 250 range cattle.