

February 21, 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: 29-2375

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

Industrial Places of Use

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

In addition to the places of use recommended, the following industrial places of use should be added to this water right:

Township and Range	Sec.	1/4 1/4	County	Use	Township and Range	Sec.	1/4 1/4	County	Use
T.5S R.34E	25	NENE	Bannock	Industrial	T.5S R.34E	36	NENW	Bannock	Industrial
		NWNE	Bannock	Industrial			NWNW	Bannock	Industrial
		NENW	Bannock	Industrial	T.5S R.35E	30	NENE	Bannock	Industrial
		SWNE	Bannock	Industrial			NWNE	Bannock	Industrial
		SENE	Bannock	Industrial			SWNE	Bannock	Industrial
		NESW	Bannock	Industrial			SENE	Bannock	Industrial
		NWSW	Bannock	Industrial			NENW	Bannock	Industrial
		SWSW	Bannock	Industrial			NWNW	Bannock	Industrial
		SESW	Bannock	Industrial			SWNW	Bannock	Industrial
		NESE	Bannock	Industrial			SENE	Bannock	Industrial
		NWSE	Bannock	Industrial	T.6S R.34E	7	SENE	Bannock	Industrial
		SWSE	Bannock	Industrial			NESE	Bannock & Power	Industrial
		SESE	Bannock	Industrial			SESE	Power	Industrial
	31	NENW	Bannock	Industrial		8	NESW	Bannock	Industrial
		NWNW	Bannock	Industrial			NWNW	Bannock	Industrial
		SWNW	Bannock	Industrial			SWSW	Bannock	Industrial
		SENE	Bannock	Industrial			SESW	Bannock	Industrial
	36	NENE	Bannock	Industrial			SWSE	Bannock	Industrial
		NWNE	Bannock	Industrial		17	NWNE	Bannock	Industrial
		SWNE	Bannock	Industrial			NENW	Bannock	Industrial
		SENE	Bannock	Industrial					

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

The site where the industrial water is land applied was not identified among the recommended places of use. The description provided in response to question no. 2 are the places of use for the industrial land application site existing as of November, 19, 1987, the commencement date for the Snake River Basin Adjudication.

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

J. R. Simplot Company

DATE: April 16, 2003

SIGNATURE: By:



Please print your name: Ronald N. Graves, Senior Vice President,
Secretary and Chief Legal Officer

IDWR Regional Office, 900 North Skyline Drive, Suite A, Idaho Falls, ID 83402 (208) 525-7161



CORPORATE HEADQUARTERS

April 17, 2003

Overnight Mail

Ernest Carlsen
Water Rights Supervisor
State of Idaho
Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

**Re: Basin 29 Notices of Error; Water Right Nos. 29-2375, 29-2501, 29-2502, 29-7663
and 29-10927.**

Dear Mr. Carlsen:

Enclosed are Notices of Error to the Preliminary Recommendations for the above referenced water rights claimed in the Snake River Basin Adjudication for Basin 29. The reasons for the Notices are briefly described below:

Notices for 29-2375, 29-2501, 29-2502, 29-7763: These water rights relate to Simplot's chemical and fertilizer manufacturing facility located near Pocatello, Idaho. The notices are filed to add the industrial places of use to include the sites where water was land applied as of November 19, 1987. These places of use continue to be used for this purpose. We are preparing amended notices of claims for each of these rights to add the places of industrial use identified on the enclosed Notices. The amended claims will be filed as soon as they are available.

Notice for 29-10927: This notice is filed in response to the preliminary recommendation that the right was being recommended under 29-4088. The places of use and quantity identified on this notice were not contained in the recommended for 29-4088. The water use claimed under 29-10927 and 29-4088 were appropriated simultaneously. The places of use and quantity under 29-10927 could be added to 29-4088 or, in the alternative, 29-10927 should be recommended with the elements described in the enclosed Notice.

Should you have any questions about these Notices please contact me. When they are available, I will forward the amended notices of claim for water right nos. 29-2375, 29-2501, 29-2502, 29-7763 to you for filing.

Sincerely,

Vic Conrad
Land and Development

RECEIVED

APR 18 2003

Department of Water Resources
Eastern Region