

RECEIVED  
JUL 21 2006  
DEPARTMENT OF  
WATER RESOURCES

**NOTICE OF ERROR  
REPLY**

Water Right Number: 3-2013  
Water Right Claimant: DeAtley Company, Inc.  
4341 Snake River Avenue  
Lewiston, ID 83501-5195  
Telephone Number: (208) 743-1531

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

The Water Right Claimant incorrectly located the Point of Diversion in its Notice of Claim to a Water Right ("Notice of Claim") at T35N R06W S14 NWSESE. The Idaho Department of Water Resources ("IDWR") Preliminary Recommendation incorrectly located the Point of Diversion at T35N R06W S14 SWNESE Lot 2. The correct Point of Diversion, based on our review of the correct actual current and historic geographic location of the pumping station on the Snake River diverting water for this water right, is at T35N R06W S14 SENE (i.e., SE ¼ of the NE ¼).

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

The Water Right Claimant requests that the Point of Diversion be changed to T35N R06W S14 SENE (i.e. SE ¼ of the NE ¼). To the extent the Notice of Claim needs to be amended to reflect this change, the Water Right Claimant requests that such amendment be made.

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

The Point of Diversion is not accurately identified in the Preliminary Recommendation.

DATE: July 21, 2006

SIGNATURE: Vern Scaggin

Print your name: Vern Scaggin