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December 26, 2005

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-6105

RECEIVED

DEC 30 2005

**Department of Water Resources
Eastern Region**

Re: Water Right No. 21-10934

Ladies and Gentlemen:

Please accept this Notice of Error Reply on behalf of the North Fork Club. The delay in reply resulted from the fact that the Notice was sent to the North Fork Club at the old address in Salt Lake City and not forwarded to its P.O. Box in Mack's Inn.

In addition to the formal Notice of Error Reply, please note that the exhibits attached to the Notice of Error Reply show that the North Fork Club obtained title to the property where these water rights are located in July of 1904. Following the chain of title shows that a patent was issued by the United States to John Kooch in 1904. The property was then conveyed to Walker, Read and Pratt again in 1904. Then, from Walker, Read and Pratt to the North Fork Club also in 1904. The Abstracts of Title show the acquisition of the property in 1904 by Kooch, and then ultimately by the North Fork Club. These title documents are consistent with the Affidavits of Record demonstrating use of the water right associated herewith as early as the acquisition of the property. Thank you for your consideration of this Reply.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP



Albert P. Barker

APB/cp
Enclosures
Cc: Clark Arnold

09/19/2005

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.

You have 30 days from receiving a NOTICE OF ERROR reply to:

Water right number: 21-18934
NORTH FORK CLUB
280 S MAIN
SALT LAKE CITY UT 84101
Telephone number: (801)356-7169

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

- | | | |
|-------------|----------------------------|-----------------|
| 1. address | 3. priority date | 5. place of use |
| 2. quantity | 4. purpose & period of use | |

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

- | | |
|---|--|
| 1. claimant's address, per attached Exhibit A | 4. purpose & period per attached Exhibit A |
| 2. quantity per attached exhibit A | |
| 3. priority date of Jan. 18, 1904 | 5. place of use per attached Exhibit A. |

3. Give a brief explanation as to why you disagree with these portions: Changes 1, 2, 4 & 5 were intended by claimant's amended claim filed Sept. 12, 2005; however, amended claim may have been unclear. Change #3, priority date, is supported by affidavit attached to amended claim and by deeds attached at Exhibit B.

DATE: 12/26/2005

SIGNATURE: Albert P. Barker

Please print your name:

Albert P. Barker

Attorney for North Fork Club Telephone: 208-336-0700

IDWR Regional Office, 960 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Address updated
KUT 12/30/05

KUT
12/30/05

Exhibit A to Notice of Error Reply
Claim No. 21-10934

Change No. 1: Claimant name and address are: North Fork Club
P. O. Box 108
Mack's Inn, Idaho 83433
Telephone: 208-558-9771

Change No. 2: Quantity : 0.24 cfs domestic
0.30 cfs irrigation
0.10 cfs fire protection

Total quantity claimed: 0.54 cfs

Change No. 3: Priority Date of January 18, 1904, is supported by affidavit filed with Amended claim on Sept. 12, 2005, and by deeds attached hereto as Exhibit B.

Change No. 4: Purpose and period of use

<u>Purpose of Use</u>	<u>Period of Use</u>	<u>Quantity</u>
Domestic	1/1 - 12/31	0.24 cfs
Irrigation	4/15 - 10/15	0.30 cfs
Fire protection	1/1 - 12/31	0.10 cfs

Change No. 5: Place of Use:

Domestic:
T.14N, R. 43E., Sec. 36, NENE
T.14N, R. 44E., Sec. 31, NWNE

Irrigation:
T. 14N, R.43E., Sec. 36, NENE, 10 acres
T. 14N, R.44E., Sec. 31, NENE 2 acres; NWNE 18 acres

Total number of acres irrigated: 30