

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: 01/19/2007.

Water right number: 37-416

SINCLAIR OIL COMPANY
DBA SUN VALLEY COMPANY
PO BOX 10
SUN VALLEY ID 83353
Telephone Number: (208) 622-4111

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

Point of Diversion; Purpose & Period of Use; Place of Use

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

Point of Diversion: Include the claimed additional point of diversion off of Trail Creek for the pump station located within the SENE, Section 7, Township 4N, Range 18E, Blaine County, Idaho.

Purpose & Period of Use: Increase the quantity: (a) from 1.9 cfs to 6.5 cfs for wildlife purposes, (b) from 4.6 cfs to 6.5 cfs for irrigation purposes, and (c) from 1.9 cfs to 6.5 cfs for aesthetic purposes, as claimed. Increase the season of use: (a) from 4/15 – 10/31 to 3/1 – 10/31 for wildlife purposes, (b) from 4/15 – 10/31 to 4/1 – 10/31 for irrigation purposes, and (c) from 4/15 – 10/31 to 3/1 – 10/31 for aesthetic purposes.

Place of Use: The following place of use for irrigation was omitted from the permissible place of use identified in the preliminary recommendation and should be added to the permissible place of use:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres
4N	18E	6	SW	NE		2
			SE	NE		13
			NE	SW		7
			SW	SW		30
			NW	SE		30
			SW	SE		30
		7	NE	NW		23.1
			SW	NW		1

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres
Total						136.1

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

Point of Diversion: Water is also diverted off of Trail Creek at the Trail Creek Pump Station, as depicted on the map submitted with the initial adjudication claim.

Purpose & Period of Use: There is no legal basis for reduction of the historical quantity of water for wildlife, irrigation, and aesthetic purposes. There is no legal basis for reduction in the season of use for wildlife, irrigation, and aesthetic purposes.

Place of Use: The above identified place of use should be included within the permissible place of use based upon the historical use of the water on those lands.

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

DATE: 1/19/07

SIGNATURE: _____

Scott L. Campbell

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Attorneys for Sinclair Oil Corporation, dba Sun Valley Company

IDWR Regional Office, 322 E. Front St, PO Box 83720, Boise, Idaho 83720-0098, (208) 287-4800

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
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Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED

JAN 19 2007

DEPARTMENT OF
WATER RESOURCES

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

January 19, 2007
via Hand Delivery

Idaho Department of Water Resources
Idaho Water Center
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098

Re: Snake River Basin Adjudication
Water Right Nos. 37-415 and 37-416- In the Name of Sinclair Oil Corp.
MTBR&F File No. 16845.5

Dear Sir or Madam:

Enclosed please find an original Notice of Error Reply form which we are submitting on behalf of our client, Sinclair Oil Corporation, concerning water right numbers 37-415 and 37-416. A copy of each form is also enclosed. Please receive stamp the copies and return them in the enclosed self-addressed, stamped envelope.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh

Enclosure

cc: Wallace Huffman (w/encl.)