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RECEIVED

JAN 23 2007

DEPARTMENT OF
WATER RESOURCES

January 18, 2006

David R. Tuthill, Jr., P.E.
Interim Director
Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098

Reference: Water Right number 37-12125

Dear Sir:

Thank you for your January 8, 2007 letter regarding possible changes I may have to your preliminary recommendations.

I have enclosed my response in the form of 3 pages, identified as follows:
NOTICE OF ERROR REPLY, NOTICE OF ERROR REPLY –
ATTACHMENT and EXHIBIT A referenced in the attachment.

I appreciate your assistance in this matter. I can be reached by phone; 208-726-3046 and e mail: *KeystoneStella@earthlink.net* if necessary.

Cordially,



Stella Gray

Enclosures

01/12/2007 RECEIVED

NOTICE OF ERROR
REPLY

JAN 23 2007

DEPARTMENT OF
WATER RESOURCES

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: January 23, 2007

Water right number: 37-12125

STELLA GRAY

PO BOX 906

SUN VALLEY ID 83353

Telephone Number: (208)726-3046

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

See Attachment

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

See Attachment

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

See Attachment

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

DATE: 1-18-07

SIGNATURE:

Stella Gray

Please print your name:

STELLA GRAY

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

NOTICE OF ERROR REPLY - ATTACHMENT:

1. The portion of the proposed recommendation is the aerial photos of my property
2. The description of changes are shown on exhibit A
3. The aerial photo taken of irrigated areas in the June Day Subdivision area west of me did not include my property. The agent showing me this photo acknowledged that the area covered did not go far enough up the canyon to include my property, the Carbon Hill.

The changes noted in exhibit A will relate to the .40cfs necessary to accommodate 20 acres.

EXHIBIT H

01/12/2007

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

RIGHT NUMBER: 37-12125

NAME AND ADDRESS: STELLA GRAY
PO BOX 906
SUN VALLEY ID 83353

SOURCE: KEYSTONE GULCH CREEK

TRIBUTARY: ELKHORN GULCH CREEK

QUANTITY: 0.200 CFS . 400 CFS
0.10 AFY . 20 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/21/1883

POINT OF DIVERSION: T04N R18E S15 SENWSW Within BLAINE 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	05/01 10/31	0.200 CFS . 400 CFS
STOCKWATER STORAGE	01/01 12/31	0.10 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.10 AFY . 20 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S15 NWSW 4.60 20.00 AFY

STOCKWATER in BLAINE County

T04N R18E S15 NWSW

STOCKWATER FROM STORAGE same as IRRIGATION

4.6 ACRES TOTAL 20.00 AFY Total

Property is known as Carbon Hill Lode and Keystone Lode.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use