

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL kfooster@holdenlegal.com

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

RECEIVED
JUL 21 2004
Department of Water Resources
Eastern Region

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

July 20, 2004

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: SRBA Claims 21-12538 and 21-12539

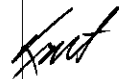
Dear Ernie:

We are writing in response to the two letters we recently received from you regarding evidence of priority for SRBA claims 21-12538 and 21-12539. We have referenced both claims in this letter because they are enlargement claims for two licensed water rights (21-7075 and 21-7076) for the same land. After our clients acquired the property, our review of the SRBA claims for rights numbers 21-7075 and 21-7076 suggested they contained a claim to some land owned by the United States Forest Service as well as to have the wrong acreage. We prepared amended claims for the two licenses and some time after receiving those two amended claims, you suggested that we file enlargement claims to take care of the increased acreage over the licensed acreage.

At some point in time we obtained maps from the Farm Service Agency (formerly ASCS) showing that in 1987 and 1992, there was a total of 175.1 acres irrigated other than the 153 acres listed in the two licenses. We really have no better evidence of the date of commencement of the enlargement than the two maps we have already furnished. I do not recall why we claimed July 8, 1982, as the priority date unless we had some information that the change in the number of acres had occurred sometime prior to the 1987 map.

I believe this is the best information we will be able to furnish for these two claims.

Yours very truly,



Kent W. Foster