

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 KFOSTER@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

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

August 31, 2004

RECEIVED

SEP 01 2004

Department of Water Resources
Eastern Region

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

Re: Evidence of Priority for SRBA Water Right Claim 21-4140

Dear Mr. Carlsen:

We are writing on behalf of our client Eagle Ridge Ranch LLC in response to your letter of June 18, 2004, regarding evidence of priority for the above referenced SRBA water right claim. Besides representing Eagle Ridge Ranch, LLC, our firm also represented the former owners, Mr. & Mrs. Jacobs, who apparently purchased the property from the Algenia S. McCrea Estate. Although Mr. & Mrs. Jacobs used water as described in the SRBA claim, and as Eagle Ridge Ranch has continued to do since its purchase from the Jacobs, neither of these clients has any knowledge or any ability to obtain any further knowledge about the claimed priority.

The claimed priority is based upon a claim to a water right filed by William Gordon McCrea in June of 1983, under Idaho Code § 42-243. A copy of that claim is attached. As you can see, the claim is in affidavit form and that will be the best information we can provide. To our knowledge Mr. McCrea is either deceased or no longer has property in the Island Park area. At least we have no idea how to make contact with him to discover whether he had any information beyond that contained in his 243 claim.

Yours very truly,



Kent W. Foster

Enclosure