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Department of Water Resources
Eastern Region

August 19, 2004

 **COPY**

Jeanette Wolfley, Attorney
202 N. Arthur,
Pocatello, ID 83204

Subject: SRBA Case No. 39576, Subcase No. 29-13418 (Water Right)

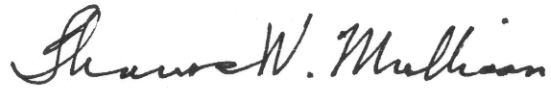
Dear Ms. Wolfley:

During our settlement conference on July 28, 2004, I was requested to provide additional information regarding the use of water related to the above referenced water right. Specifically, I was asked to provide Warranty Deed information during the time period between 1931 and 1987. It was agreed that if I provided such information the Tribes would accept a negotiated priority date of February 27, 1869 for water right 29-13418. I have gathered documentation to support my case. The following information is attached:

1. Idaho Department of Water Resources map - This map shows the location of my property and the point of diversion (POD) for water right 29-13418.
2. Large map dated October 25, 1894 - This map shows that the spring related to water right 29-13418 existed and was mapped by the surveyor in 1894 for the Surveyor General's Office. The further shows that the spring flow was onto property from which water right 29-13418 was split upon my purchase of a portion of the property.
3. Property ownership map - This map shows that my property is a portion of a larger parcel of land previously under Indian ownership (TAH-MAN-ZO-NAH PORTNEUF).
4. Warranty Deed dated April 27, 1957 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.
5. Warranty Deed dated July 6, 1959 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.
6. Warranty Deed dated June 15, 1965 - This document shows a property transfer including the parcel currently under my ownership. All water rights and water conveyances, including the subject spring, were transferred at this time.

I trust that the information provided will be sufficient to meet terms of our agreement.

Sincerely,

A handwritten signature in cursive script, reading "Thomas W. Mullican".

Thomas W. Mullican

3558 S. Marsh Creek Road
McCammon, ID 83250
Work Phone: 208-236-6160
Home Phone: 208-254-9813

attachments: Maps (3)
Warranty Deeds (3)

cc: Roger Warner, Idaho Department of Water Resources