

Water Resources Field Services

1571 N. 1100 E.
Terreton, ID 83450
208-663-4667

October 18, 2003

Vance Avery
4532 E 300 N
Rigby ID 83442

Re: Adjudication Claims A25-00071A and A25-00174A

Dear Mr. Avery:

It was good to talk to you last night about your Willow Creek water on the farm near Ririe. Enclosed is a map with yellow lines showing the current computer listing of 40-acre quarter-quarter sections where the claims are listed, and pencilled lines showing my best estimate of what is actually irrigated under your water right. Please sketch on this map the correct boundaries of what is irrigated and mail it back to me.

A25-00071A is for 2.08 cfs (54 inches) of 1880 Willow Creek water, and A25-00174 is for 3.12 cfs (156 inches) of 1888 water. There is a note in the file for A25-00071A that says:

"Progressive irrigation district is claiming 2.8 cfs of this right under notice A25-13388Z0 and A25-13388Z1. ESV 11/2/89.... This split may not be valid if the Avery's redemption rights don't expire."

If you have any letters, certificates, or other documentation relating to these "redemption rights" and the claim of Progressive, please mail a copy of these also. They will be very helpful to the IDWR personnel who will review the legal issues and decree issues of your water rights.

As we discussed, I will look in the IDWR records for a third claim for Willow Creek water that should be in the name of your father Alan Avery or your mother Marlene Avery Jones. If I don't call you in a few days, please call me at 663-4667 (evenings) or 681-9100 (daytime).

Sincerely,

Bryce A. Contor

August 18, 2003

Roy Avery
9673 N 75 E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00071A

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of this visit is to locate and photograph the headgate(s), ditches, and irrigated lands. A similar letter is being sent to co-claimants Kevin Avery and Vance Avery.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor