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Ovando, Mt. 59854

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APR 14 2003

Department of Water Resources

April 9, 2003

Steve Clelland
P.O. Box 83720
Boise, Id 83720-0098

Dear Steve,

I am writing in response to your letter of March 5 and our phone visit of April 9. concerning the water rights claimed by Charles E (Chuck) Newell.

The increased acreage (71) shown on your map as opposed to the claimed acreage (54) in Transfer 3111 is proof of the efficiency of sprinkler irrigation. Apparently, waste and excess water from the new system was used to irrigate the additional land.

I did find an unidentified map showing some acreage up-dates as well as figures penciled in on the back showing the following: 21 ac. River & Waste, 22 ac. Rd & RR, 3 ac. House, 211 ac. Range, 53 ac. cropland. This, of course, adds to 310 acres which is the size of the ranch, and probably accounts for that extra acreage with the "21 acres River & Waste."

Chuck does want to file an enlargement claim for this right.

Water right 37-596 was not specifically included in the 1985 transfer probably because it is "Big Cottonwood Water" which is basically a "flood right." It comes

in early and does not last long enough to irrigate for an entire season. It is used when it is available in conjunction with the more reliable water. The priority date on this claim is 1899, and it was bought with the purchase of the ranch in 1971. It has been used since that time whenever it has been available for flood irrigation.

The diversion point for measurement of both claims is at the Mabbut #70 headgate and ditch, and at the pumps down-river at the site of the sprinkler irrigated fields, both located on the ranch. We had questioned the point of measurement of this water on the chance of loss, depending on the distance of the diversion location. As the measure is right at the ranch, there is no loss, thus, I assume, no problem.

Another request: with some changes being made on these claims, this would be an appropriate time to remove Henriette's name from the paperwork. She was our mother, and she ranched with Chuck until her death in 1996. Should you need official proof of her death, please let me know and I can send a copy of her death certificate.

As I explained over the phone, Chuck is temporarily unable to take care of business at this time, but would very much like to visit and work with you upon his return to the ranch in mid-June. He will

contact you at his earliest convenience to complete the enlargement claim, up-date his maps, and make sure that everything pertaining to your review of these claims is in order.

Should you have any other questions prior to the time Chuck contacts you, please call or write me - we'll find answers.

Thank you so much for putting this project "on hold" until the time Chuck will be able to complete it properly. We appreciate your co-operation and consideration.

Sincerely,
Barbara McNally