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DEC 21 2004
DEPARTMENT OF
WATER RESOURCES

December 15, 2004

Mr. Carter Fritschle, Water Rights Supervisor
State of Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Response to Your Letter of December 1, 2004, Regarding Water Right 37-4095

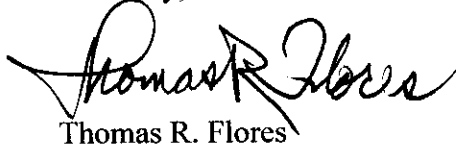
Dear Mr. Fritschle:

Thank you for your letter and your advice concerning evidence of priority date for the surface waste water right noted above. We are enclosing a notarized Amended Notice of Claim proposing a date of priority of May 1, 1969, along with a notarized affidavit from our lessee, John F. Bryan, supporting that date of priority.

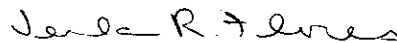
As we discussed on the phone, we are also submitting under separate cover to IDWR Southern Region an Application for Transfer of Water Right to update the description of the land irrigated by this waste water.

Please contact us if we need to take any further action concerning the priority date for this claim.

Sincerely,



Thomas R. Flores
1973 S, 1500 E
Gooding, ID 83330
208 934-4047



Verla R. Flores

GENERAL AFFIDAVIT

STATE OF IDAHO

COUNTY OF GOODING

PERSONALLY came and appeared before me, the undersigned Notary, the within named John F. Bryan, who is a resident of Gooding County, State of Idaho, and makes this his/her statement and General Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his/her knowledge:

Concerning the Priority Date of Beneficial Use for Waste Water Claim 37-4095

On January 9, 1969, my wife and I bought the farm bordering the property now owned by Thomas R. and Verla Flores. At that time the property was owned by Richard and Ona Gonzales. Beginning with the irrigation season on May 1, 1969, I personally observed that the surface waste water coming on to the property then owned by Richard and Ona Gonzales was put to beneficial use by Richard and Ona Gonzales in the irrigation of the property. The waste water was used by Richard and Ona Gonzales on the land identified as the original place of use as noted in the Claim to a Water Right No. 37-4095 filed on April 10, 1978. I have further direct knowledge of the beneficial use of this waste water in that I leased this property from Ona Gonzales for three years following the death of her husband in the spring of 1971. Beginning with the irrigation season on May 1, 1971, I personally used this waste water on the original place of use as named in the Claim to a Water Right No. 37-4095 in irrigating the identified land.

DATED this the 15 day of December, 2004.

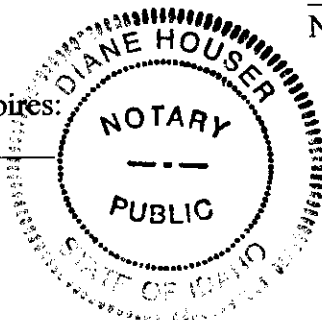

Signature of Affiant

SWORN to and subscribed before me, this the 15 day of December, 2004.


NOTARY PUBLIC

My Commission Expires:

7.24.2010



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-4095
Date Received: 9/20/1988
Receipt No: S002373
Received By:

**AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

VERLA R FLORES
1973 S 1500 E
GOODING ID 83330

Phone: (208)934-4047

THOMAS R FLORES
1973 S 1500 E
GOODING ID 83330

Phone: (208)934-4047

2. Date of Priority: May 1, 1969 (Please show Month, Day and Year)

3. Source: WASTE WATER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	14E	9	NE SE	GOODING	

5. Description of diverting works:

DITCHES 2' WIDE OR LESS

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
3/15 11/15 1

(or) A.F.A

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	14E	9	NE	SW	IRRIGATION	4.9
			NE	SE	IRRIGATION	9
			NW	SE	IRRIGATION	16
Section Acres						29.9
Total Acres						29.9

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

2 P/D IN NESE, S9, T6S, R14E.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: one

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Romast Flores Date: Dec 15, 2004
Jordan R Flores Date: Dec 15, 2004

State of Idaho)
 County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 15th day
 of December 2004

Delta Prince

Notary Public

Residing at Gooding ID
 My commission Expires 9/13/10

