

Delbert Christensen
6012 W. 10050 N.
Highland, Utah 84003

May 7, 2004

Ernest Carlson
Water Right Analyst
Eastern Region
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402

*Re: Dorothy C. Curtis Trust
Subcase No. 29-04271*

Dear Mr. Carlson:

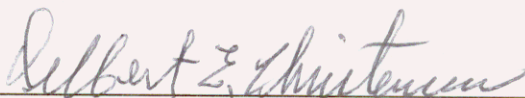
This letter is written pursuant to your request following our discussions at the initial hearing of this subcase held before Special Master Brigitte Bilyeu on April 22, 2004. The claimant is the Dorothy Curtis Trust. Dorothy J. Curtis died in December, 2002. She was predeceased by her husband Guy Curtis, who died in 1985. Guy and Dorothy Curtis filed a Form 243 "Claim to a Water Right" on November 24, 1982. The information contained in this claim was the basis of the Claim to Water Right No. 29-4271 filed by Delene C. Covert as Trustee of the Dorothy Curtis Trust. Delene C. Covert and my wife Deanne Christensen are the daughters of Guy Curtis and Dorothy J. Curtis and are the beneficiaries of the Dorothy Curtis Trust. At their request I assisted them in preparing and filing the Standard Form 1 Objection. The information contained in the attached Statement in Support of the Objection, together with the attached Exhibits A, B and C are true and correct to the best of my knowledge, information and belief.

To further substantiate and support the Trust's Water Right Claim No. 29-4271, particularly the claimed priority date of April 1, 1940, you requested I send you this letter to set forth and confirm my personal observations and knowledge of the irrigation practices.

I was raised in the area and as a small boy remember seeing in the early 1950s a Minneapolis Moline diesel tractor with a portable pump located in the south end of the pond in the NW1/4 NW1/4, Section 2, Township 11 South, Range 37 East, Bannock County, Idaho. The tractor and pump were used to pump water from the pond into a 1/4 mile hand line sprinkler which was used to irrigate land located to the north and west of the pond. I estimate approximately 48 acres were irrigated as described in the Notice of Claim. Attached is a map which identifies the pond, the location of the tractor and pump, and the irrigated land.

Ernest Carlson
Page 2
May 7, 2004

The same irrigation practices continued and I was on the property more frequently beginning in 1962, when my wife Deanne and I were married. The same irrigation practices continued by my father-in-law Guy Curtis until the property was put in the Conservation Reserve Program in the fall of 1986. The property has remained in the CRP program under four different contracts which currently run through September 30, 2007. A copy of the CRP contracts are attached as Exhibit B to the Standard Form 1 Objection. The water was not used while the property was enrolled in the CRP program, at which time there was no abandon or forfeiture in accordance with Idaho law.



DELBERT CHRISTENSEN

STATE OF IDAHO)
 : ss
County of Bannock)

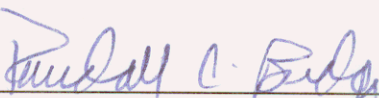
The undersigned, being duly sworn, deposes and says that the foregoing information and the matters and facts therein are true and correct to the best of his knowledge, information and belief.



DELBERT CHRISTENSEN



SUBSCRIBED AND SWORN TO before me this 12th day of May, 2004.



NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires 10/11/2006.

cc: Randall C. Budge
 Candice McHugh, Deputy Attorney General
 Delene C. Covert, Trustee

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