



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2003

CARMA B SMITH
5137 W PORTNEUF RD
INKOM ID 83245

RE: Priority date recommendations for claim 29-04065 and 29-04156

Dear Ms. Smith,

The Idaho Dept. of Water Resources has reviewed the information provided that you submitted concerning your request to change the recommended priority date to 6/14/1867 as defined in the Fort Hall Indian agreement.

Our legal staff, the Adjudication Bureau Chief, and myself reviewed the information. It was determined that there is not enough information to change the recommended priority date for the water right claimed under 29-04065 since the evidence submitted does not show that the water was used within 5 years of the property changing from Indian ownership to non-Indian ownership.

However, the evidence provided for 29-04156 does support that water was put to beneficial use before or within 5 years of the property changing from Indian to non-Indian ownership.

Because a portion of the claimed place of use under 29-04156 was not part of the original Indian allotment, claim 29-04156 was split into two new claims 29-13626 and 29-13627 to represent the different priority dates for the claimed place of use.

Enclosed are revised copies of the preliminary recommendations for 29-04065, 29-13626, and 29-13627. I am not sending a copy of 29-04065 because that recommendation did not change.

If you still do not agree with the recommendations, you will be notified at the time the directors report is issued and will have a chance to object and be heard by the SRBA court.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau