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DEPARTMENT OF
WATER RESOURCES

March 2, 2005

Robert W. Chewning
139 Pahsimeroi Road
Ellis, Idaho 83235
(208) 876-4291

Roxanne Brown
Sr. Water Resources Agent
Adjudication Bureau
Idaho Dept. of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720 - 0098

Ref: (a) Snake River Adjudication (SRBA)
Claim to Water Right No. 73-4105

(b) Your letter dated February 16, 2005,
same subject

Dear Ms. Brown,

We thank you for your help with claims to Water Right Nos. 73-4105 & 73-4106. In your letter, reference (b), you stated that 73-4105 was split between us and Mr. Coleman. I assume that is the proper 1st step in changing this Water Right Claim, but we are greatly concerned that Mr. Coleman may be granted a legal right to the water from the point of diversion in original claim 73-4105 and now identified in claim 73-12036. We paid the Colemans a premium price for the property being irrigated by the springs/pond being diverted at Township 16 N, Range 20 E, Section 36, NE 1/4 of SE 1/4 of NE 1/4 for the purpose of eliminating any claim they had to this water. They made a written agreement to transfer 30" of the water being claimed from these springs/pond to the Pahsimeroi River and change the point of diversion downstream. The remaining water being diverted from this point of diversion was to be transferred with the property being sold. I would assume there will be an investigation of all claims prior to adjudication and expect that all claims the Coleman's may currently have on paper for this point of diversion will be made null and void. If not, expect the issue to move to a court of law immediately. As further support for our claim, Mr. Coleman has not used or attempted to use any water from the above point of diversion since the time we bought the property on 10-10-1996.

Again, I thank you for your help in this matter, It has been a long and frustrating process. We would appreciate hearing from you after you have had an opportunity to look into our concerns relative to any claim the Coleman's may have on paper relative to this sensitive point of diversion.

Sincerely,


Robert W. Chewning