

RECEIVED

APR 26 2005

DEPARTMENT OF
WATER RESOURCES

TINA IEST
2313 TERRACE DRIVE
CALDWELL, IDAHO 83605

April 25, 2005

Mr. Carter Fritschle
Water Rights Supervisor, Adjudication Bureau
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Mr. Fritschle:

My name is David P. Tidwell. I am the Son-In-Law of Mrs. Tina Iest. Mrs. Iest is 92 years old, unable to do the legwork required in many issues such as water rights and other issues related to the management of her property, so she has asked me to represent her in such cases. Therefore, I have been authorized by her to handle the details of her various water rights on lands that she owns.

She provided me with your notice to review the water right recommendations and maps and Notice of Error forms on Water Rights numbers 37-619-A, 37-620 and 37-4237 attached to her farm property in Lincoln County, Idaho. I have reviewed the maps and recommendations and have found a number of errors regarding the locations of Points of Diversion. I suspect some of the location changes are a result of ditch and canal changes over a long time.

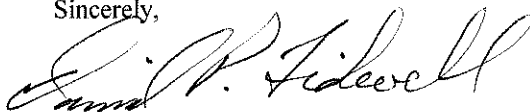
In 2004, our lessee, Nick Sabala and I personally visited each diversion site and established GPS Coordinates for each. The reason we did this is because property in that area has been changing hands at an accelerated rate. Since all of the diversions are located on lands not owned by Mrs. Iest, the opportunity for misunderstandings with the other landowners has increased. Many of these new owners do not have agricultural backgrounds and often assume that people affiliated with our farm may be trespassing illegally on their land when they are merely adjusting water flow or providing maintenance to the diversions. We have experienced such misunderstandings on property in Canyon County and hope to avoid such problems in the future.

We have found incorrect Point of Diversion locations on Water Rights 37-619A and 37-620. In both cases, the descriptions listed the wrong Township. We have also more closely described the legal descriptions in these Water Rights.

The Point of Diversion for Water Right 37-4237 was correct, but I took the opportunity to include a more precise legal description and, of course, add the GPS Coordinates as I have on all three water rights. We note that two water rights for the Lincoln County property have not been included. I must assume that you will forward those for our review in the future. We look forward to that opportunity.

Thank you very much for providing this opportunity to review your efforts at adjudicating our water rights. It is a monumental job and you are to be commended for the tremendous effort you have undertaken to accomplish such an undertaking. We really appreciate your work.

Sincerely,



DAVID P. TIDWELL

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005

Water right number: 37-4237

MRS C IEST
2313 TERRACE DR
CALDWELL ID 83605

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Exact location of Point of Diversion.

2. Describe the changes you wish to make in the proposed recommendation:

*SESESE SECTION 2, T5S R16E
GPS Coordinates: 43°00.459'N
114°30.930'W*

3. Give a brief explanation as to why you disagree with these portions:

More precise location of Point of Diversion.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/25/2005

SIGNATURE: *David P. Tidwell*

Please print your name: DAVID P. TIDWELL

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098