

May 20, 2005

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Idaho Department of Water Resource
1342 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

RECEIVED

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Department of Water Resources
Southern Region

Re: Evidence of Priority

Dear Mr. Jones

The water covered under water right 37-4301 was first put to beneficial use when these lands were patented in the late 1800's or early 1900's when these lands were first settled. These springs were used to naturally irrigate the meadows below these springs. Some springs had some domestic uses for homestead homes on the land but the homes are no longer there.

I made improvement on these springs in the early 1970's by clearing all of the brush and scrub quaking aspen around these springs and putting in a spring box and structures to keep livestock out of the spring area. We cleared most of the land, except for the meadows, and seeded the ground to domestic hays and grasses. At this time ditches were put in to carry some of the water to irrigate the improved pastures.

The quantity of water used varied with the time of the year; as long as there was snow drifts on the ridges, the springs would produce the 1.140 cfs but the production would diminish as the environment dried out during the year. The extent of the use also followed the seasons with little use as long as the lands were saturated from winter snow cover and early spring rain, but as the environment became drier there is no water leaving the land described in this water right.

To summerize: it seems appropriate that this water right should be adjudicated with a

priority date in the early 1900's with a quantity of 0.855 cfs (75% of 1.140 cfs), also an enlargement with a 1974 priority date and a quantity of 0.285 cfs (25% of 1.140 cfs). This would clearly represent how this water has been put to beneficial use over the years.

Thank you.

Sincerely,



Charles J. Olson

cc: Clare Olson