

7/20/05

Dear Roxanne Brown,

I am faxing over a copy of the water
Right that you have requested we provide.
I thought we mailed this originally but
we must have left it out. If you have
any questions please call me @ 916 624-3712.
or 208 865-2664

Sincerely,

Shelley M. Fratis

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.govDIRK KEMPTHORNE
GovernorKARL J. DREHER
Director

June 29, 2005

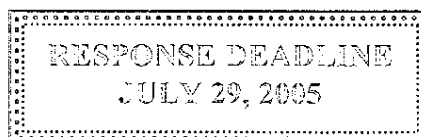
75-04361

MICHAEL A FRATIS JR

SHELLEY M FRATIS

2600 MANZANITA DR

ROCKLIN ID 95677



Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

Page 444

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4361

WATER RIGHT NUMBER: 75-4361

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JULIE NOVA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Current Owner	MICHAEL A FRATIS JR 2600 MANZANITA DR ROCKLIN, ID 95677 (916)624-3712
Current Owner	SHELLEY M FRATIS 2600 MANZANITA DR ROCKLIN, CA 95677 (916)624-3712
Original Owner	R DANA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Original Owner	MARK K OLSON 842 CALLE SERRA SAN DIMAS, CA 91773 (714)599-9716

Priority Date: 11/17/1921

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER	SW1/4NW1/4	Sec. 28, Twp 25N, Rge 21E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T25N R21E S28 SWSW 4.3

Total Acres: 4.3

Conditions of Approval:

1. #5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT 2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE LONG.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

COPY

Ident. Number: A75-04361
Date Received: 10/ 2/1990
Receipt No: E015288
Received By:COPY FOR
YOUR FILESNOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAWCOPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: NOV 17, 1921

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243