



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

August 23, 2005

KARL J. DREHER
Director

2-7242C
MAURICE D AND SONYA E LEE
12455 W 36TH S
BRUNEAU, ID 83604

RESPONSE DEADLINE
September 30, 2005

Re: Snake River Basin Adjudication (SRBA) – Claim Number 2-7242C

Dear Claimants,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims in Basin 02.

During the review, it was found that the points of diversion you have claimed differ from what was licensed. The licensed point of diversion is in the SWSW of Section 34, Township 05S, Range 04E. In addition to the licensed point, the claim indicates an additional point of diversion in the SESW. Idaho Statute (IC 42-1425) allows IDWR to recommend a change in point of diversion as an accomplished transfer if that change took place prior to the commencement of the SRBA, November 19, 1987. Changes that occurred after that date require a formal transfer application filed with the IDWR Water Allocations Bureau.

At this time, without evidence that the change to two points of diversion took place prior to the commencement of the SRBA, the right will be recommended as licensed. If you disagree with this assessment, please provide evidence of when the additional point of diversion was first used and submit it to this office by September 30, 2005.

Evidence could be as simple as an affidavit stating when the change was made or something indicating the date of change such as receipts for equipment purchased or pump test records at the new point of diversion. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of a notarized affidavit.

In addition, the contact information we have in our files for this claim appears to contain an outdated address (29730 River Rd Bruneau, ID 83604). If this address is incorrect, please also fill out and return the enclosed change of address form. Otherwise, future mailings will be sent to the address in our records.

Enclosed also find a computer printout of your claim with the additional point of diversion encircled. If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 2-7242C, handy when you call.

Sincerely,

Steve Robischon
Adjudication Technical Section

Enclosures