



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

R SCOTT WELLS
1922 W PORTNEUF RD
INKOM ID 83245

RE: Amendment of Snake River Basin Adjudication (SRBA) recommendations for 29-00604A and 29-013471.

Dear Mr. Wells,

Based on the information you provided, information provided by Ronald Karlson, and the field exam conducted on 3/4/03, I have amended the recommendation for 29-00604A.

The information provided by Ron Karlson supported that the high portions and the bowl on his property were historically flood irrigated. However, I did reduce the recommended acres around the rock piles. This did result in a change in diversion rate per acre. However, I am afraid that it did not change enough to reach a full inch per acre among the users of decreed right 29-00604.

Because of this, I am enclosing a beneficial use claim for additional diversion rate as we spoke about before. Please look over the claim and initial any changes you wish to make. You will need to fill in the priority date that you feel is appropriate and submit evidence that supports the priority date claimed. When satisfied, sign the claim in front of a notary and return it to this office with the filing fee of \$50.00.

I also added the irrigated ground south of W. Portneuf Rd and increased the recommended acreage to 15 acres. This change to 29-00604A required a remark to be added to storage right 29-13471. I am enclosing a copy of the amended recommendation for 29-13471.

Per our conversation on 4/21/03 I am sending you some additional forms:

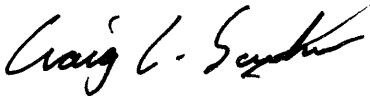
- Notice of Claim form to file on the decreed right for allotment 15.
- Notice of Claim instructions
- List of known water right consultants
- Water Right record for 29-00605 as listed on the IDWR database
- Hubble analysis questionnaire (probably to be submitted to your consultant) for excessive diversion rate

I did not prepare a claim for 29-00605 because I did not know how you wanted to file the claim. Keep in mind that in order for IDWR to recommend any portion of 29-00605 on your property you need to submit evidence that the water right was specifically moved from Indian allotment 15 to allotment 14 prior to 1987. And then in order for IDWR to recommend more than 1 inch per acre, evidence needs to be submitted that your soil type requires greater than 1 inch per acre. Thus, I included the Hubble analysis questionnaire.

The last issue to discuss is the question of treating Indian Creek as a separate stream. I met with my supervisor and legal staff concerning this issue. Since Indian Creek was historically tributary to the Portneuf River IDWR cannot recommend this as a "separate stream". Further questions regarding this matter can be directed toward Candice McHugh, Assistant to the Attorney General at (208) 327-7900.

Feel free to contact me with further questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau