



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 22, 2004

Richard & Sue Ann Stokes
485 W. Riverton Rd
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-4H

Subject: POINT OF DIVERSION (POD)

Response Date: April 23, 2004

Dear Claimant (s):

The Idaho Department of Water Resources initial investigation of the Notice of Claim listed above indicates that there has been a change in the point of diversion:

Previous point of diversion:
T3S, R35E, Sec. 8, NW SE.

New point of diversion:
T3S, R35E, Sec. 8, SE NE.

Returned 3/29/04

CB

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

Before IDWR may recommend your claim, you must provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. If the new POD is correct you will need to Amend your Notice of Claim to clarify the legal with L-8, SENE, section 8, T3S, R35E of the Boise Meridian. No fee is necessary to amend the Notice of Claim to correct the POD in the Adjudication process.

This office must receive your response by the above referenced response date. If no response is received, then your claim to water from the new point of diversion will not be recommended to be decreed. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

CEB/

Enclosure: Copy of Claim 27-4H
Copy of Water Right Profile Report