



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

8 March 2005

Keith Fielding
597 North 1100 East
Shelley, ID 83274

RE: Snake River Basin Adjudication (SRBA)
Claim 27-4AC and 27-13A

COPY

Subject: EVIDENCE OF PRIORITY

RESPONSE DATE: 25 March 2005

Dear Claimants:

Thank you for calling our office concerning evidence for the two referenced claims. I have prepared a timeline listing the documents we have received concerning evidence of priority. Please review this timeline and pay specific attention to the notes for each document.

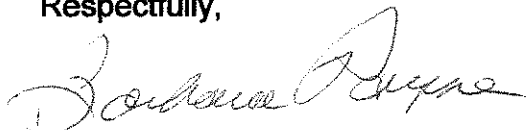
One of the documents cites a portion of the claimed POU as being transferred from Tew to Arvel Fielding. However, no documents have been submitted that provide evidence prior to Tew's ownership. If Tew owned the balance of the claimed POU, when did he obtain ownership and when did he transfer it to Arvel Fielding?

Several of the documents mention shares in various irrigation companies. These are only carrying ditches and do not have any rights to water by themselves.

The important water document is the Warranty Deed dated January 30, 1959 from Ball to Tew that includes 100 miner's inches. No evidence has been provided that proves Ball had the water to sell to Tew. The other question in connection with this document is the location of the acres sold. They are NOT within the claimed POU. This water could have been transferred from T3S, R36E, Sections 3 and 4 to the claimed POU in T2S, R37E, Section 1. However, no transfer has been submitted nor found.

This office must receive the missing documentation by the date shown above. If no response is received, then your claim to water will not be recommended to be decreed. If you have any questions, please feel free to contact me at the Soda Springs Satellite office at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne", written in dark ink.

Barbara Payne

Enclosure: Timeline



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

4 March 2005

Keith Fielding
597 North 1100 East
Shelley, ID 83274

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-4AC and 27-13A

Subject: OWNERSHIP CHANGE & EVIDENCE OF PRIORITY

Response Date: 25 March 2005

Dear Claimant(s):

We have received a copy of the death certificate for Arvel Fielding, who filed water claims in the 1990s. We have also been furnished multiple documents supporting the priority date. In order to proceed with the recommendation, there are two items that are still missing.

One of the documents furnished is a Warranty Deed dated January 30, 1959 from William & Verla Ball to Warren Tew for 100 miner's inches of decreed Blackfoot River water with a priority date of July 1, 1870. However, we have received no documents that support that Mr. Ball had the water to sell, nor to whom Mr. Tew sold the water to. In order to apply this priority date to Claim 27-13A, documentation supporting the water transfers need to be provided from the priority date to present.

Also in order to change the name of the water claims, please complete the enclosed Notice of Change in Water Right Ownership and return it to our office.

Please feel free to call me at 547-3993 if you have any questions.

Respectfully,

Barbara Payne

Enclosure:
Ownership Change Form

OCT 28-04

Dear Cindy.

The letter that was sent by the state was to my father who is Deceased Nov 02-02

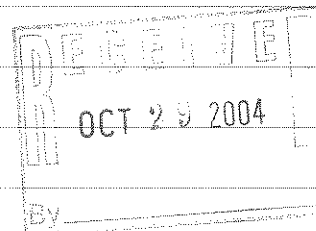
I received the letter mid Sept, I called and talked to one of your assistants a couple of times.

enclosed is a copy of the Death Certificate and paper filed as to ownership of land and water.

Thank you
Keith Fielding

Keith Fielding
597 N 1100 E
SHELLEY ID 83274

208 346 6211





Close

From: Crabtree, Jennifer**To:** Payne, Barbara**Cc:****Subject:** RE: Arvel Fielding Claim 27-4AC and 27-13A**Sent:** 10/26/2004 2:36 PM**Importance:** Normal

Nothing has come in so far. I've asked Katy to watch for them.

-----Original Message-----

From: Payne, Barbara

Sent: Thursday, October 21, 2004 12:21 PM

To: Crabtree, Jennifer

Subject: Arvel Fielding Claim 27-4AC and 27-13A

Hi Jen,

In trying to locate this claimant, we have discovered that he died. His son, Keith Fielding, is purchasing the property from his father's estate. There is a note in the file that he was going to take the warranty deeds and death certidiate to IF. The note is dated 9/13/2004.

Can you please check to see if anything has arrived in your office? If so, can you please snail mail it to us.

Thanks.

Barbara :-}



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DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

13 October 2004

Arvel W. Fielding
1115 East 1200 North
Shelley, ID 83274

COPY

RE: Snake River Basin Adjudication (SRBA)
Claim 27-13A

Subject: Ownership documentation

RESPONSE DATE: 3 November 2004

Dear Claimants:

The Department of Water Resources is currently investing water right claims in Basin 27. IDWR's information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp 106-117 (Bingham County, Idaho August 1, 1891) to Henry Dunn. This water right was decreed with a July 1, 1870, priority date.

In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right. I am enclosing a copy of our pamphlet "Evidence of Priority" to guide you to sources that may constitute proof of the priority date of your water right.

This office must receive your response by the date shown above. If no response is received, then your claim to water will not be recommended to be decreed. If you have any questions, please feel free to contact me at the Soda Springs Satellite office at 547-3993.

Respectfully,

Barbara Payne

put this in 27-HAC
— some owner change.

Enclosure



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 29, 2004

RE: *SRBA Claim to Decreed Water Right No. 27-4*

Dear Claimant:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources (IDWR or the "Department") in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891) to P.B Fox, William Howard, A. Whitten, Susan Whitten and Calvin Mill. This water right was decreed for 1500 inches (30.0 cfs) with a June 1, 1885, priority date. This water right was numbered sometime after the decree by IDWR as water right no. 27-4.

The Department has received multiple claims to this water right. In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original water right which means that you will need to provide warranty deeds or other documents dating back to Howard Whitten, Susan Whitten or P.B. Fox that show a chain of title conveying the water right to you.

Please provide this information by August 20, 2004, to Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources. IF YOU DO NOT PROVIDE THIS INFORMATION YOUR WATER RIGHT WILL BE DISALLOWED. You can contact her at 208-547-3993. If you have any further questions regarding this matter, you can contact Cindy or you can contact me directly at 208-327-5404.

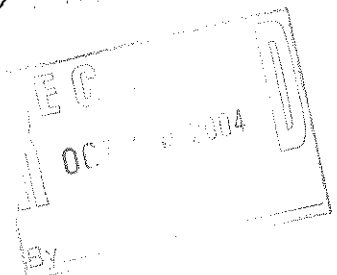
Very truly yours,

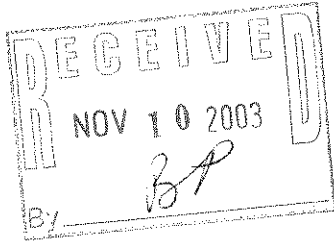
A handwritten signature in cursive script that reads "Candice M. McHugh".

CANDICE M. McHUGH
Deputy Attorney General
Idaho Department of Water Resources

cc: electronically
Cindy Bird, IDWR

Natural Resources Division - Water Resources Unit
1301 North Orchard St., Boise, Idaho 83706-2237
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866
Adjudication FAX: (208) 327-5400





STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Arvel Fielding
1115 East 1200 North
Shelley, ID 83274

Re: Claim No. 27-4AC

Dear Mr. Fielding:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird