



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 17, 2004

Eldro B. Pratt
Bonnie J. Pratt
225 N. 4000 E.
Blackfoot, ID 83221

*2/19/04
Gary Pratt.
484 E Weeding Ln.
Blackfoot 83221.*

Ref: Snake River Basin Adjudication (SRBA)
Claim 27-56

Subject: Change in source and point of diversion (POD)

RESPONSE DATE: MARCH 9TH, 2003

Dear claimants:

IDWR's initial investigation of the Notice of Claim listed about indicates that there has been a change in the source. The decreed source is Brush Creek. In the above referenced claim you claimed a point of diversion in the SESE of section 34, township 3 south, range 39 east from Garden Creek.

A water right owner who has made a change in use of a water right prior to the 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.

This office must receive your response by the response date shown above. If not response is received, then you claim to water from Garden Creek in the SESE of section 34, township 3 south, range 39 east will not be recommended to be decreed.

If you have any questions, please feel free to contact me in the Soda Springs office at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Copy of the Notice of Claim 27-56.