

October 16, 2003

Ms. Cindy Bird, Adjudication Agent
Idaho Department of Water Resources
15 West Center Street
Soda Springs, Idaho 83276

*27-2075 amend
POU!*

Dear Cindy:

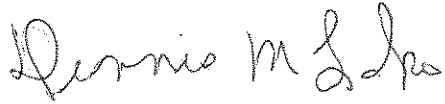
In response to your letter to my ex-partner Delwyn V. Ellis dated August 19, 2003 and our telephone conversation this morning, which I found extremely helpful, I have attempted to answer your questions as follows:

- ✓ 1. The only change in ownership since the adjudication process began was that Mr. Ellis's share in the property in question has been purchased by myself as confirmed by a recorded Quitclaim Deed (instrument #164933). A copy of the deed is attached.
- ✓ 2. The points of diversion have not changed and are the same as indicated on Water License #14238 issued on October 19, 1920 which is in the NW1/4 of the SW1/4 of Section 9.
- ✓ 3. The area on which the water is being applied for beneficial use is the same as indicated on the Water License which is the SW1/4 of the SW1/4 of Section 9 or parts thereof.
- ✓ 4. If either of the adjudication claims 27-2075 or 27-2069 indicate a different point of diversion or area of use, it is in error.
- ✓ 5. This property is in permanent pasture and has been for at least 30 years and as such, no crop reports have been made, so the USDA has not taken an interest in the property and does not have agriculture maps.
- ✓ 6. I do not have access to property plats or survey maps. This property was taken up by the Winchell Family in 1868 and was held by them for over 100 years. I assume sometime in the intervening years a survey was done to determine fence lines. We became possessors in 1977. The quarter sections in which the water was diverted and used can be verified by the distance from the ancient fence lines.

7. We hereby change our requested season of use from April 1 to November1 to April 15 to
/ October 31.

I Trust this will clear up any questions or misunderstand.

Sincerely yours,

A handwritten signature in cursive script that reads "Dennis M. Lake". The signature is written in dark ink and is positioned above the printed name and address.

Dennis M. Lake
830 Taber Road
Blackfoot, Idaho 83221