

December 21, 2005

Michael Holliday
Idaho Department of Water Resources
900 north Skyline Dr. Suite A
Idaho Falls, Idaho 83402

Re: Danskin Ditch Co. Claims

Dear Michael:

Enclosed is a revised aerial photograph of the service area for the Danskin Ditch Co., for your revision.

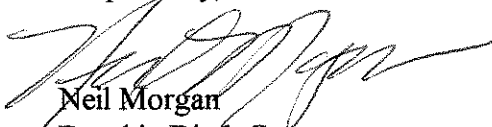
Also add to our claim of beneficial use stock water use for water right numbers, 1-52A, 1-116BB, 1-10091, 1-158B, 1-53A, 1-0092, 1-261, 1-157B, 1-92B, 1-306, 1-92B, this claim is in addition to the beneficial use of recharge as per our notice of errors submitted on August 11, 2005.

Enclosed is an email message from Kim Cox, a board member of the Danskin Ditch Co., documenting the historical beneficial use of stock water.

If you are not the correct person to receive the beneficial use claim information please forward to the proper person and advise by email of whom the notice was delivered to. My email is centennial@onewest.net.

Thank you.

Respectfully,



Neil Morgan
Danskin Ditch Co.
762 West Hwy. 39
Blackfoot, Id. 83221

c. Jerry Rigby

Centennial

From: "Kim C Cox" <swissmil@ida.net>
To: "Centennial" <centennial@onewest.net>
Sent: Tuesday, December 20, 2005 3:46 AM
Subject: winter stockwater

Neil,

This letter is to verify that I remember the danskin canal running water in the winter months for the purpose of stockwater when I was a child.

That would have been in the early 1950's. We used to ice skate on the canal behind my Dad's house in the winter. I also remember breaking out the ice for the cattle to drink.

Kim C Cox

12/21/2005

Holliday, Michael

From: Tuthill, Dave
Sent: Friday, May 13, 2005 1:44 PM
To: 'centennial@onewest.net'
Cc: Ciscell, Michael; Holliday, Michael; Carlsen, Ernie; Shurte, Jan; Jones, Doug
Subject: RE: Danskin

Mr. Morgan,

It appears that this is a situation where you folks as the claimants and IDWR are not in agreement. We note for the record your request for us to include in your recommendation all canals and ditches within Danskin Ditch Co. However, the way we interpret water law in the State of Idaho, the place of use for a water right for irrigation purposes is limited to acres that have been historically irrigated. This can include the banks of conveyance works where useful vegetation is grown, so we are not required to omit small laterals. However for any canal with an access road, or a canal that can be clearly seen on our imagery, the canal acres cannot be included as irrigated lands. Instead, water lost through the canals can be reflected as conveyance losses in the water right.

I am happy to meet with you on this matter if you wish. In the meantime via this email I am directing our staff to not include canal acres in the acres in your water rights to be recommended to the Court. If you desire, this issue can certainly be filed as an objection to our recommendation in the Director's Report. In this way the SRBA Court can rule on this matter.

Regards, Dave Tuthill

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

From: Centennial [mailto:centennial@onewest.net]
Sent: Thursday, May 12, 2005 6:28 PM
To: Ciscell, Michael
Cc: Kim Cox; Ron Ellis; Delwin Bevan; DON JUDI HALE
Subject: Danskin

Michael:

I have not received a response from you regarding the last email regarding the addition of all canals and ditches within the Danskin Ditch Co. service area to be included within the irrigated acreage.

We were advised again by legal council to demand that all of the canals and ditches be included in the irrigated acreage.

Please advise by May 16,2005.

Neil Morgan
President
Danskin Ditch Co.

5/16/2005