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Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
FREDERICK J. HAHN, III
KARL R. DECKER
SHAN B. PERRY
DeANNE CASPERSON**
AMELIA A. SHEETS
ROBERT L. HARRIS
DEBORAH S. O'MALLEY

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

RECEIVED
SEP 25 2006
DEPARTMENT OF
WATER RESOURCES

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

**Also Licensed in Missouri & Kansas

September 21, 2006

Roxanne Brown
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Dear Roxanne:

We have had an opportunity to review the Preliminary Recommendations for Bob Dreyer's water rights with him. He indicates that there is a good deal more land irrigated than the amount recommended. He says that much of land where the trees are located has a great deal of grass and that the grass must be and has been irrigated for the use of the cattle. He actually went through each of the maps and marked them up and prepared responses to the Notice of Error Reply forms. I am enclosing copies of everything he sent to me for your review and further action. Thank you for your continued attention to this matter.

Yours very truly,



Kent W. Foster

Enclosures

08/31/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 29, 2006

Water right number: 73-12055- 12049

ROBERT P DREYER
PO BOX 4917
KETCHUM ID 83340
Telephone Number: (208) 726-2874

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

QUANTITY, PERIOD OF USE, PLACE OF USE

2. Describe the changes you wish to make in the proposed recommendation:

QUANTITY - ³⁵ ~~224~~ CFS; PERIOD OF USE - 9/1 TO 11/15

PLACE OF USE - T13N R24E S18 NE SW 20 ACRES SE SW 25 ACRES
T13N R24E S13 SE SE 20 ACRES NW SW 20 ACRES SW SE 15 ACRES
T13N R24E S13 SE SE 20 ACRES SW SW 15 ACRES

3. Give a brief explanation as to why you disagree with these portions:

TOTAL - 115 ACRES

I HAVE MANY HISTORICAL IRRIGATION DITCHES THAT IRRIGATE
THOSE AREAS ON BOTH SIDES OF BIG CREEK. THIS IS FLOOD
IRRIGATED PROPERTY

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9/17/06 SIGNATURE: [Signature]

Please print your name: ROBERT P. DREYER

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 73-12049
Date Received: 11/27/1989
Receipt No:
Received By:

COPY FOR YOUR FILE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT P DREYER Phone: (208) 726-2874

PO BOX 4917
KETCHUM ID USA 83340

2. Date of Priority: 10/19/1903

3. Source: BIG CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
13N	24E	18	SW	SE	SE	LEMHI	
13N	24E	18	SE	SE	SE	LEMHI	
13N	24E	18	SE	SE	SW	CUSTER	

5. Description of diverting works:

THREE DIVERSION FROM CREEK WITH CONC. HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	12/01	0.35	

7. Total Quantity Appropriated is:
0.35 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	23E	13	SE	SE	IRRIGATION	20
					Section Acres	20
13N	24E	18	NE	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SE	SE	IRRIGATION	40
			NW	SW	IRRIGATION	20
			SW	SE	IRRIGATION	23.3
					Section Acres	203.3
					Total Acres	223.3

11. Place of use in counties: CUSTER, LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THE WATERS HAVE HISTORICALLY BEEN DIVERTED AND USED BEYOND THE SUGGESTED IRRIG. SEASON OF 4/1 TO 11/1.

PLACES OF USE; SWNE, SESE SEC. 13, SWSW, SESW, SWSE, SESE SEC. 18 ARE IN BOTH CUSTER AND LEMHI COUNTIES. CUSTER AND LEMHI COUNTY PROPERTIES HAVE DIFFERENT DEEDS.

This right is a split from former right 73-180.

15. Basis of Claim: Decreed

08/31/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12049

NAME AND ADDRESS: ROBERT P DREYER
PO BOX 4917
KETCHUM ID 83340

SOURCE: BIG CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.180 CFS

PRIORITY DATE: 10/19/1903

POINT OF DIVERSION:

T13N R24E S18 SESESW Within CUSTER County

T13N R24E S18 SWSESE Within LEMHI County

T13N R24E S18 SESESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.180 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T13N R24E S18 NESW 12.00 T13N R24E S18 Lot 3 NWSW 11.00

T13N R24E S18 SESW 5.60 T13N R24E S18 SWSE 3.10

31.7 ACRES TOTAL

Right Nos. 73-12049, 73-12055 and 73-12058 are limited to the irrigation of a combined total of 31.7 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 73-180 .



Idaho Department of Water Resources

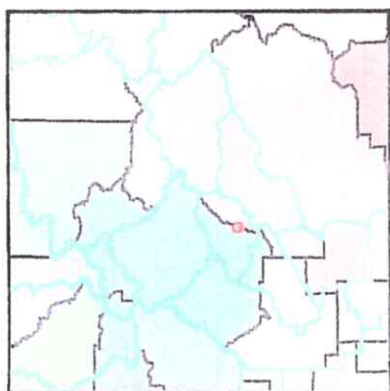
CLAIM BENEFICIAL USE
115 ACRES

SRBA Recommendation:

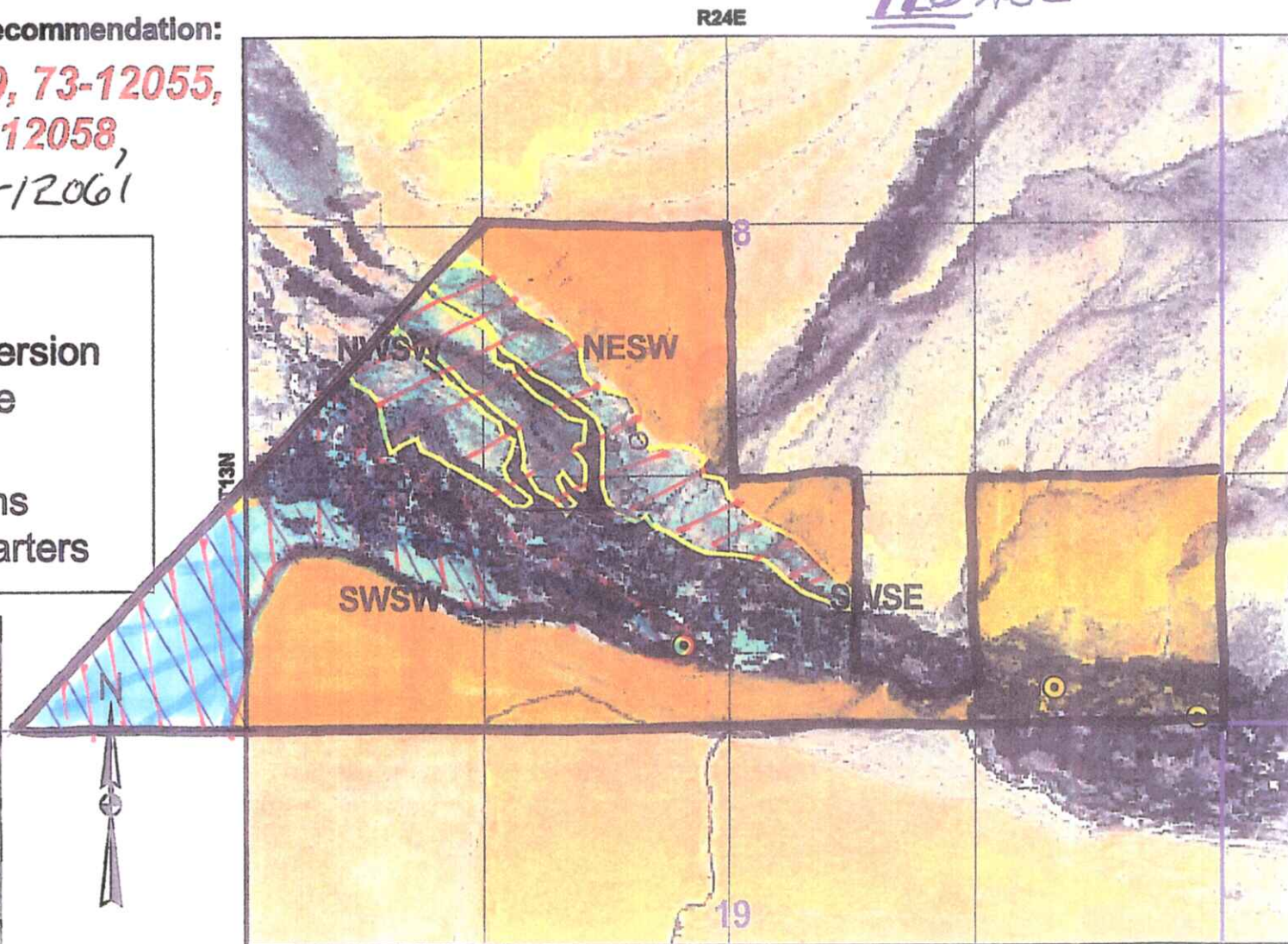
73-12049, 73-12055,
73-12058,
73-12061

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73



0 0.4 0.8 Miles

Prepared by R. Brown
On Tuesday, August 29, 2006
1987/88 Aerial Photography