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OCT 25 2006

DEPARTMENT OF
NATURAL RESOURCES

October 25th, 2006

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Re: Preliminary recommendations for SRBA claims #67-73C and 67-74C

Dear Mr. Saxton,

I have reviewed your preliminary recommendation on our claims that you sent dated 18 Sept. 2006 and wish to bring some things to your attention.

Your recommendation is for 2.8 acres of irrigation to be used within 4.6 acres based on your estimate of historical irrigation and your knowledge of the land contours of our property. What has been irrigated and what is currently being used is more than the 4.6 acres that you mapped from the aerial photographs. I have enclosed at attachment some numbered photographs of the areas that have historically been irrigated and have been excluded in your recommendation.

There is no irrigation of our house, driveway, barnyard, or the area in the northeast corner of our property. The northwest corner, along with all the property south of Fort Hall creek, is being irrigated and has been historically irrigated. Please consider carefully the following photographic evidence taken in October of this year:

Photo #1: This shows a dam that was built on Fort Hall creek approximately 75 yards east of our driveway. This dam was used as a diversion to raise the level of the creek to divert some into a ditch in order to water the sections on property south of the creek.

Photo #2: This shows the diversion ditch running through the southwest part of our property (south of the creek) used to flood irrigate that section.

Photo #3: This shows concrete pipe near the diversion itself.

Photo #4: This shows the steel culvert used to convey the diverted creek water from the diversion ditch underneath the driveway in order to carry it to the other section of irrigated property on the southwest, also south of the creek.

Photo #5: This shows the same culvert used to deliver creek water to the southwest section, south of Fort Hall creek. Although this setup is still operable, the previous owner chose instead to pump water from Fort Hall creek and water the southeast and southwest sections south of the creek by sprinkle irrigation.

Photo #6: This shows the irrigation pump and power pole used to draw water for irrigation of property south of the creek. This has been in operation for many years.

Photo #7: This shows the southwest section of our property facing southeast. Note black sprinkler line and green grass, recently grazed.

Photo #8: This shows the northwest corner of the property facing north. Note that the land directly outside the property is dry but there is plenty of water flow on this portion. The contour of the land is not a problem.

Photo #9: This is the northwest section, west of the barn, facing west. Note that it is currently irrigated and grazed. It was also irrigated under the previous owners.

We currently reside on seven acres. Excluding the barn and barnyard, the house and driveway, and the extreme northeast portion of our property that is unirrigatable due to the land contour, we have approximately 5.7 acres of land that has been and is currently being irrigated.

Please revise your recommendations to reflect our current and historical water usage. Thank you for your kind attention in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Judit Cole". The signature is written in dark ink and is positioned to the left of the printed name.

Judit Cole

2451 U.S. Hwy 95
Council, ID 83612
208-253-0222

1 att: Photos 1~9



Photo #1



Photo #2



Photo #3



Photo #4



Photo #5



Photo #6



Photo #7



Photo #8



Photo #9