

File Code: 2540

Date: November 20, 2006

Dee & Cherri Smith
4471 Jefferson Ave
Ogden, UT 84403

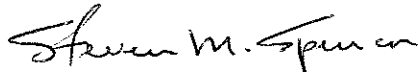
Dear Mr. and Mrs. Smith,

I understand that you are owners of part of Lot 113, Island Park Subdivision. There is a water right claimed in the Snake River Basin Adjudication (SRBA) that is appurtenant to this property. The USDA Forest Service objected to water right claim number 21-10021 in the Snake River Basin Adjudication (SRBA) because of a concern with the legal description. The water right recommendation indicates it is for property also known as Lot 113, Island Park Subdivision. The Idaho Department of Water Resources (IDWR) recommended this water right to the SRBA Court in January 2006. An Initial Hearing for this water right was held November 16, 2006 in St. Anthony. No claimants for this water right appeared at the hearing. As a result the water right is in jeopardy.

I went to the Fremont County Assessors Office November 17, 2006 in an attempt to determine the owners of Lot 113, Island Park Subdivision. Based primarily on map information in the Assessors Office not previously available to me, it appears that you are owners of part of Lot 113, Island Park Subdivision. If this is correct I recommend that you contact Ernest Carlsen or Trent Galbraith at the IDWR Eastern Region Office in Idaho Falls at (208) 525-7161 to discuss the status of this water right, your interest in the water right, and how you can obtain ownership of the water right if you are interested in obtaining a water right for this property. If you no longer own this property this information should be forwarded to the current owners of the property.

If you have any questions about this matter and Forest Service involvement in the proceedings, please contact me at (208) 331-5944.

Sincerely,



STEVEN M. SPENCER
Water Use Specialist

Enclosures

CC: Ernest Carlsen
Brigitte Bilyeu

01/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-10021
NAME AND ADDRESS: JIM KOETTER
1238 WILLARD AVE
POCATELLO ID 83201

LEE O WATERS
946 S BELLIN RD
IDAHO FALLS ID 83402

THOMAS B NAVE
1619 SAWMILL CREEK RD #6
SITKA AK 99835

LOUISE YOUNG
275 12TH ST
IDAHO FALLS ID 83401

SOURCE: GROUND WATER
QUANTITY: 0.050 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

TRIBUTARY:

PRIORITY DATE: 09/22/1969

POINT OF DIVERSION: T14N R42E S36 SESENW Within FREMONT County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.050 CFS
Domestic use is for 4 homes.		

PLACE OF USE: DOMESTIC Within FREMONT County
T14N R43E S36 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - Beneficial Use

PARCEL NO. RP8362A PROPERTY AKA LOT 113, ISLAND PARK SUBDIVISION

V A L U A T I O N S U M M A R Y S H E E T

TIME: 10:30:55
PARCEL NUMBER: RP 00066033113A A PROPERTY ADDRESS: 4266 HAILEY ST
EFFECTIVE DATE: 03/30/1995
EXPIRATION DATE: 00/00/0000
NAME: SMITH, DEE W & CHERRI ANNETTE
TAX CODE AREA: 0350000
LEGAL: ISLAND PARK SUB
N 132' OF W 82.5' LOT 113
BLK 33
SEC 36 TWP 14 RGE 43

ADDRESS: 4471 JEFFERSON AVE
OGDEN UT 84403 OLD PARCEL #: RP8360 T
CAT SHT 15 RX 2003 QUANTITY UN MARKET VALUE HO VALUE HO EXEMPT CB VALUE OTHER EXEMP
15 2003 .250 AC 17,500

TOTALS: .250 17,500

COMMENTS:

DEED REFERENCES:	CAMA AREA #:	RELATED PARCELS:	SUB-SYS:	HOMEOWNERS:
DATE: 06/29/2005	1			ZONING: NONE
495985				PHOTO NUMBER:
471973				MAP NUMBER:
466370				INSP YEAR: 2003
452834		SL		PARCEL TYPE: MI
323424				LOCATION CODE: 0001
TAX SPECIALS:				SW UNITS:
994 991 961				SW TYPES: