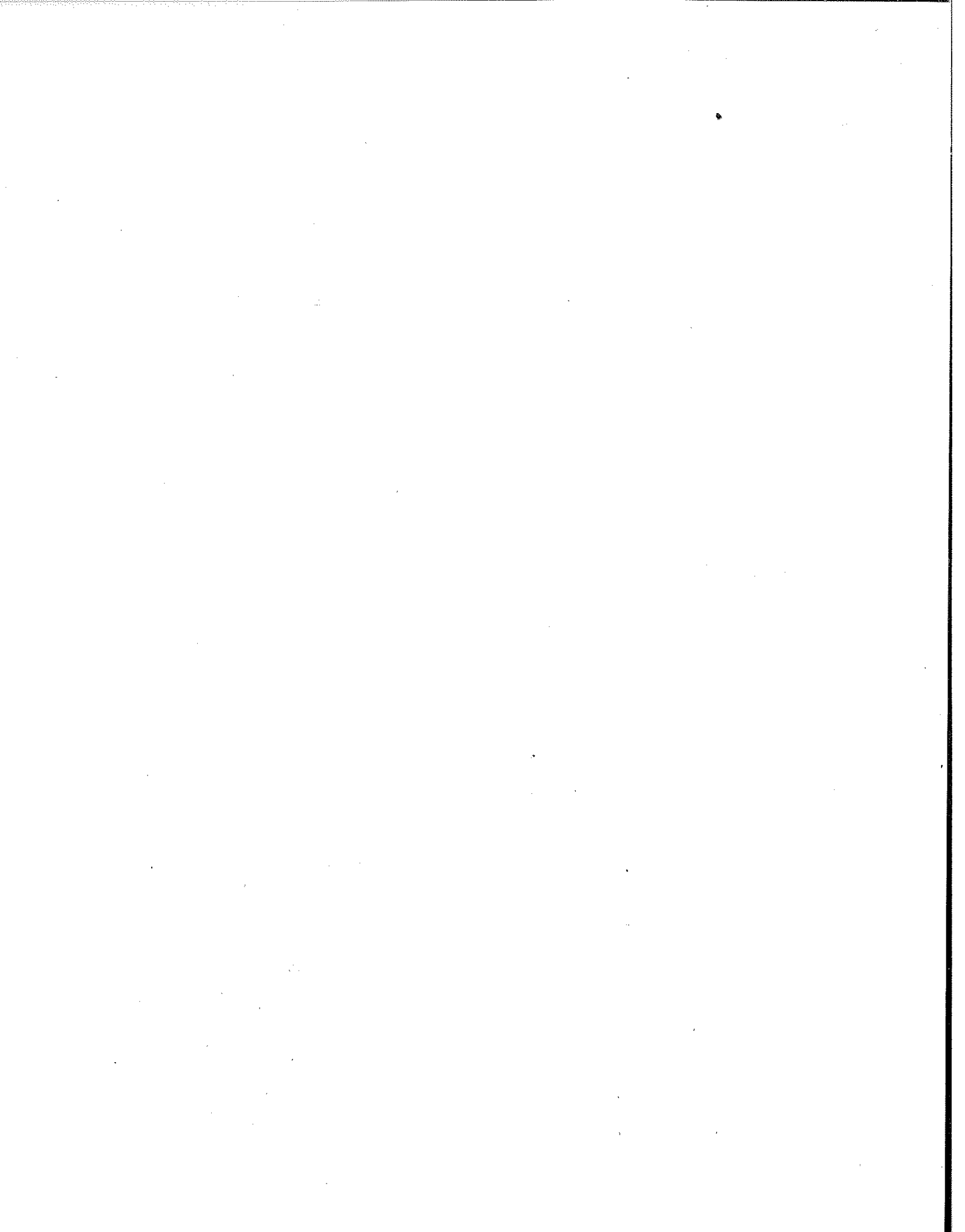






RECEIVED

MAY 17 2004

Department of Water Resources
Eastern Region

5/2/04

Nick Olson
IDWR
900 N Skyline Drive Ste A
Idaho Falls, ID 83402

HN45B

Dear Nick,

I received your letter asking for proof of priority on a claim which transferred to me through a change of ownership form, 22-11639. This claims a priority of July 21, 1969. *ENLARG CLAIM ONLY*

HN45B

In reality, this claim refers to the moment when the 1 cfs that used to belong to Roy Miller, and was filed on 5/23/01 in Fremont County by John J Miller, changed from flood irrigation to sprinklers. With this improvement, additional acres were able to be watered with the same amount of water. The SRBA claim 22-11639 reflects that change that took place 7/21/69. *ENLARG CLAIM*

I have filed a claim on the original decree for .5 cfs that was used on the NE of the SE of the NW of Section 30, R45 E T 4N. This decree has been in error for over 90 years, as the place of use and priority date listed are both in error. The place of use listed is over 60 feet in elevation higher than the outlet of Paradise Springs and is in a place which would have been physically impossible for that water to reach when the decree was issued. At any rate, the claim 22-11639 is part of the JJ Miller decree, and should have a priority of 5/23/01 or since you personally can't change a priority date that has been adjudicated, 6/1/04.

22-405
Orig Decree
2 cfs

cfs

My neighbors, Don and Rex Miller, decided to wait for the SRBA process to declare their claims an accomplished transfer. I chose to directly transfer my right because I needed legal standing with IDWR as Ron Carlson refused to acknowledge my conjunctive management case without such a transfer.

22-11537

The reason I bring up my case is that Paradise Springs has been proved to be directly hydraulically connected to a few local wells, and as such this water source deserves the highest level of attention possible when reviewing claims. I am certain that all of

568 claim CC
ENLARG ONLY

CLAIMED →

the claims on Paradise Springs will be challenged because of the lack of water in this neighborhood.

If you have any questions or would like to discuss the situation here with me, please don't hesitate to call me.

Sincerely

Mike Reid

encl

MAILED
19 MARCH 04

March 19, 2004

MICHAEL REID
450 W 550 S
VICTOR ID 83455

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11639

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

Your claim, as referenced above, claims a Priority Date of JULY 21, 1969, from PARADISE SPRINGS.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.