

January 10th, 2006

To whom it may concern,

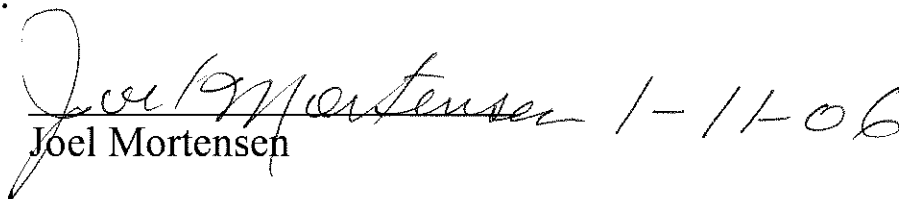
I am a resident of Fremont County, Idaho and reside at 1857 East 100 North, Rexburg, Idaho 83440.

I went to work for Clyde Haws (Windy Ridge Farms) in 1969 and continued my employment there until 1999 when the farm was leased to Shawn J. Walters and W. Jeffrey Walters.

When I started in 1969, all of the lands on the farm were being watered by well water. I specifically remember that it was in the spring of 1969 that we straightened out the Canyon Creek Canal where it had meandered through the west 50 acres. At that time all the ground was being watered by hand lines, but over the next few years we converted them to wheel lines and finally to pivots.

I have specifically reviewed the lands included in Water Right number 22-11185 and know that these lands were being watered by well water from the indicated point of diversion in 1969 when I arrived to work there and that they had been watered for some time prior to that year. I have also reviewed the lands covered in Water Right number 22-2222 and 22-2287. I know that these lands were also irrigated with well water from this same point of diversion and were also being watered prior to 1969.

I personally attest that the facts as stated are accurate and true.

 1-11-06
Joel Mortensen

December 29, 2005

Shawn Walters, et al
3360 N 8800 E
Newdale ID 83436

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11185

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. 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 APRIL 23, 1967, from GROUND WATER (well). This claim can only be an enlargement of Licensed Water Right 22-2287.

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 which are acceptable 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". **PLEASE READ THE ENCLOSED PAMPHLET.**



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 9, 2005

WINDY RIDGE FARMS
C/O CLYDE HAWS
11096 E HWY 33
NEWDALE ID 83436

FINAL NOTICE

PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11185

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. 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 APRIL 23, 1967, from SPRINGS. WEL

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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 which are acceptable 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**". **PLEASE READ THE ENCLOSED PAMPHLET.**

February 24, 2004

**WINDY RIDGE FARMS
C/O CLYDE HAWS
11096 E HWY 33
NEWDALE ID 83436**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11185

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. 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 APRIL 23, 1967, from a WELL.

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.

.....
**The Department will not recommend the Notice of Claim be decreed by the court if
evidence of a priority date is not submitted. The Notice of Claim will be disallowed.**
.....

Please submit the documentation supporting the priority date within 30 days of the date
of this letter, referencing all documents with the corresponding claim number. If
you have any questions not covered by this letter or the enclosed pamphlet, please feel
free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)