



December 15, 2002

Mr. Gordon Allen
4226 E 400 N
Rigby, ID 83442

RE Water Use on a Portion of the old Allen Ranch

Dear Mr. Allen:

I am sending forth the facts surrounding historic water use on a portion of the old Allen Ranch. The facts are as I understand them after you explained them to me at our meeting on November 19, 2002.

The old Allen Ranch is located near Driggs, ID and described here as 160 acres composed of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; T 4 N, R 45 E, Boise Meridian. You formerly owned this property from 1995 until the summer of 2002. During that time you irrigated the property for cattle pasture. Prior to your ownership your uncle Mr. Keith Clements owned the property from 1986 until his death in 1995. You also said that your uncle had purchased the property from Mr. Bill Lewis.

I understand that you irrigated approximately 22 acres of pasture located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T 4N R 45E and that prior to that your uncle Keith Clements also irrigated this same ground while he owned it. I also understand that he had told you that Mr. Bill Lewis, the landowner before your uncle did exactly the same. The irrigation water was diverted from Dick Creek in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 10. Historic diversion works consisted of a wooden headgate but more recently the diversion has been replaced with wood piers and plastic tarping. The rate of diversion averages approximately 2 - 4 cfs and is conveyed by a well-maintained ditch. Of this amount approximately 0.5 cfs is used to flood the pasture and the remainder flows to the downstream neighbor and eventually makes it back into Dick Creek. To keep the ditch clean the diversion was historically left in place year round but water was typically only used from early May until mid-October when the diversion ditch was regularly checked with canvas or plastic dams to flood the pasture. The attached aerial photograph shows the point of diversion and place of use you described to me please verify that it is correct.

If you are in complete agreement with the above facts please sign this letter in the presence of a Notary of the Public and return it to me. Thank you for your cooperation regarding this matter.

Sincerely,

Jeffrey Klausmann, environmental consultant

DATE: ?

By signing below, I Gordon Allen, solemnly swear that the statements contained in the foregoing document are true and correct.



Signature

Gordon Allen

Date

12-27-02

State of Idaho)

County of

Bonneville)

Subscribed and affirmed before me this

27th

day of

December

20 02

Notary Public

Helen Elliott

Residing at

Idaho Falls, Idaho

My Commission Expires

9/26/06

