



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 28, 2007

Rex Eller
PO Box 464
New Meadows, ID 83654

Re: Snake River Basin (SRBA) Claim Nos. 78-4094 and 78-4095

Dear Rex:

Please find enclosed the revised recommendations with GIS layouts (maps) for the SRBA claims referenced above. The SRBA Court has set a deadline of December 31, 2007 for filing the amended Director's Reports for these claims. So, please review the recommendations with Sarah, and contact me no later than December 14, 2007 if you have any additional information that could result in modifying the recommendations.

You will note that the priority date for claim no. 78-4094 has not been recommended with the date claimed. That is because none of the information provided in the 1963 tax records supported the irrigation of more acres than have been recommended for claim nos. 78-4095 and 78-4096, both of which have priority dates earlier than 1963. Therefore, I relied completely on the affidavit of Doris Hubbard in order to arrive at the 1970 priority date for this claim. If Thomas has any memory of the irrigation system that utilizes the portable pumps in Mud Creek prior to 1970, perhaps he could describe that system with dates of use in another affidavit.

You also supplied a posted notice in the name of Charles Sundholm dated September 8, 1902 for land in Township 19 North, Range 1 East, Section 22, SENE and NESE. There are no SRBA claims filed for the irrigation of the lands described in the posted notice, so I am uncertain as how the posted notice relates to the SRBA claims that have been filed.

If you have any questions or wish to provide additional information, you may contact me by phone at (208) 287-4917, or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Section Manager, Adjudication Bureau

Enclosures:

Recommendations for 78-4094 and 78-4095
with GIS layouts