



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 22, 2008

JERRY RIGBY
RIGBY, ANDRUS & MOELLER, CHARTERED
25 NORTH 2ND EAST
REXBURG ID 83440

RE: Change in POD and POU for Snake River Basin Adjudication (SRBA) claim 75-22
Your client: Arrowhead Water District

Dear Mr. Rigby:

I have begun reviewing objections in Basin 75 in the Jesse Creek area and need further documentation on some elements claimed in 75-22. I have been reviewing the decree (Andrews and Andrews v. Martin et al.) in conjunction with the claims and am looking for the following:

1. Evidence showing the location of the point of diversion (POD) decreed in Andrews and Andrews v. Martin et al. and, if possible, the path of the ditch in place at the time of the decree.
2. Documentation showing when the POD was moved to its claimed location in T21N R21E Sec 11 SWNW.
3. The claimed place of use (POU) is slightly different from the decreed place of use, and both are slightly different from the POU found during the field exam. Please provide documentation showing when the POU was moved to include the lands in Section 2. We may need an amended claim to account for the additional acres found in the field exam; I will contact you for an amended claim if necessary.
 - a. The decreed POU was T21N R21E Sec 1 SW1/4 and SE1/4.
 - b. The claimed POU was T21N R21E Sec 1 NWSE, NESW, NWSW, NESE and Sec 2 NESE, SWSE, SESE.

If you have any questions, please feel free to call me at (208) 287-4907.

Respectfully submitted,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Cc: Arrowhead Water District