



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Mr. Kent W. Foster
Law Offices of Holden, Kidwell, Hahn & Crapo, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405

April 4, 2005

Re: Snake River Basin Adjudication (SRBA)
Claim: 24-6A

Subject: CHANGES IN THE PLACE OF USE (POU),

RESPONSE DATE: April 18, 2005

Dear Mr. Foster;

Thank you for your letter dated March 30, 2005. To better help your client understand the discrepancy in the place of use, I've enclosed a copy of the original Franklin Lindholm decree. I highlighted the area that is located in this decree. I've also enclosed a copy of Janene Robinson Brown's water right claim. The 40 acres I've highlighted on her claim is not in the original place of use, as sited in the decree.

As stated before, IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

If the change occurred prior to November 19, 1987, then the date must include the month, day and year the change occurred. If the change occurred after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

This office must receive a response by the response date shown above. If no response is received, then your client's claim to water for the new place of use will not be recommended to be decreed.

If you have any questions please feel free to contact us at 547-3993.

Respectfully,

Pauline Bassett

Enclosure: Copy of Claim 24-6A
Copy of Franklin Lindholm Decree