



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

26 September 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W. Gregg Draney
P. O. Box 387
Auburn, WY 83111

Re: Snake River Basin Adjudication (SRBA)
Claim ~~24-2003A~~, 24-2011A, 24-2022A

Subject: CHANGE IN PLACE OF USE (POU) & POINT OF DIVERSION (POD)

Response Date: 10 October 2005

Dear Claimant (s):

The Idaho Department of Water Resources initial investigation of the Notice of Claims listed above indicates that there has been a change in the point of diversion and place of use.

The claims that have been filed split each of the licenses between W. Gregg Draney and Gleno Draney. We have three issues that need to be clarified before a recommendation can be made to the Court.

1. The original licensed POU of these claims are different than the SRBA claimed POU.
2. The original licensed POD of these claims are different than the SRBA claimed POD.
3. The total number of acres being irrigated on the six claims are more than the combined 3 licenses.
- 4.

There are no known previous transfers requesting the POU and POD be moved from the licensed POU and POD to the claimed POU and POD.

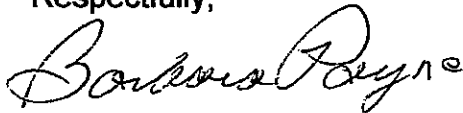
A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

Before IDWR may recommend your claim, you must provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change was made 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.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

To resolve these issues, please call our Soda office to make an appointment with our Agent, Cindy Bird. If no response is received by the above response date, then your claims may not be recommended to be decreed. Our telephone number is 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Barbara Payne".

Barbara Payne

Cc: Gleno Draney
P. O. Box 365
Auburn, WY 83111
Claims 24-2003B, 24-2011B, 24-2022B