



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 18, 2009

MILTON A SLAVIN
116 N CENTER ST
SALMON ID 83467

RE: Preliminary recommendations for Snake River Basin Adjudication (SRBA) late claims 75-2065 and 75-2105

Dear Mr. Slavin,

Per our conversation I am sending you a copy of the February 11, 2009 letter I sent to Ms. Conway and I have added you to her water right claims as her attorney. In addition, I am enclosing copies of the preliminary recommendations for 75-2065 and 75-2105. Please look over the recommendations and let me know if you have questions or concerns.

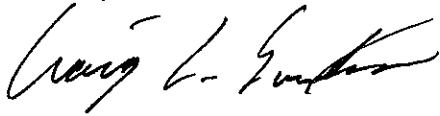
As you review the preliminary recommendations, there are a couple of things to note:

- 1) As we discussed, without further evidence, I plan to recommend 75-2065 as disallowed to the SRBA court. The original license 75-2065 is not applicable to Ms. Conway's property; rather it was licensed to H.E.S. 57. I do not have any evidence supporting a transfer. In addition, my conversation from Mr. Rufe supported that 75-2064 is not used on Ms. Conway's property.
- 2) The recommended priority date for 75-2105 is 5-14-1948. It appears that when the claims for 75-2065 and 75-2165 were completed, the priority dates entered on the claims were mixed up resulting in 75-2065 claiming the priority date licensed for 75-2105 and vice versa. The recommended priority date of 5-14-09 reflects the licensed priority date of the original license for 75-2105.

IDWR tentatively plans to submit the next late claim directors report in early June of 2009. At this time, the enclosed preliminary recommendations reflect what will be submitted to the SRBA court.

Please feel free to contact me at (208) 287-4916 with any questions. If there are changes that your client feels should be made, it is much easier to make those changes now before the directors report is submitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being more prominent.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s): Preliminary Recommendation for 75-2065 and 75-2105
February 11, 2009 letter to Ms. Conway
Copies of original license 75-2065 and 75-2105

Cc: NANCY CONWAY
16133 HIGH VALLEY PL
ENCINO CA 91436