



State of Idaho

DEPARTMENT OF WATER RESOURCES

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May 8, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HUGH LLOYD FULTON
GEORGIA ANN FULTON
1831 CANYON RD S
MELBA ID 83641

Re: Snake River Basin Adjudication (SRBA)
Late Notice of Claim 65-23318

Dear Mr. and Ms. Fulton,

I spoke with Mr. Fulton on April 21, 2009. 65-23318 claims domestic use, but from our conversation it sounds like the well hasn't actually been put into production yet as you don't have power ran to the well. However, Mr. Fulton told me that you planned on building this spring.

I am going to hold the recommendation of 65-23318 out of the next directors report that is due to be submitted to the court in early June. This will give you some time to develop the property and get power to the well so it can produce and be used for domestic purposes.

Once you can pump water from the well and use it for purposes in association with a home or stockwatering, send me a picture showing the system is in place. Then IDWR can look at recognizing a valid domestic right with the priority date of that when the well was first put to beneficial use.

If I do not hear from you by the time the next report is due to be submitted to the court (late fall of 2009), I will contact you and we can discuss your options at that time.

Please give me a call if you have any questions or concerns.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication bureau