

RECEIVED

01/05/2006

FEB 14 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-4173

LOON CREEK LAND CO.
303 BALMORAL
BOISE ID 83702

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: Feb. 10, 2006 SIGNATURE: Thomas A. Demorest
Please print your name: Thomas A. Demorest

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

11/23/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 77-4173

NAME AND ADDRESS: LOON CREEK LAND CO.
303 BALMORAL
BOISE ID 83702

SOURCE: MAYFIELD CREEK

TRIBUTARY: LOON CREEK

QUANTITY: 1.080 CFS

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T14N R13E S14 SWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	1.080 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R13E S11	SWSW	2.0	T14N R13E S11	SESW	9.0
T14N R13E S14	NENW	13.0	T14N R13E S14	NWNW	10.0
T14N R13E S14	SWNW	9.0	T14N R13E S14	SENW	6.0
T14N R13E S14	NESW	4.0	T14N R13E S14	NWSW	1.0

54 ACRES TOTAL

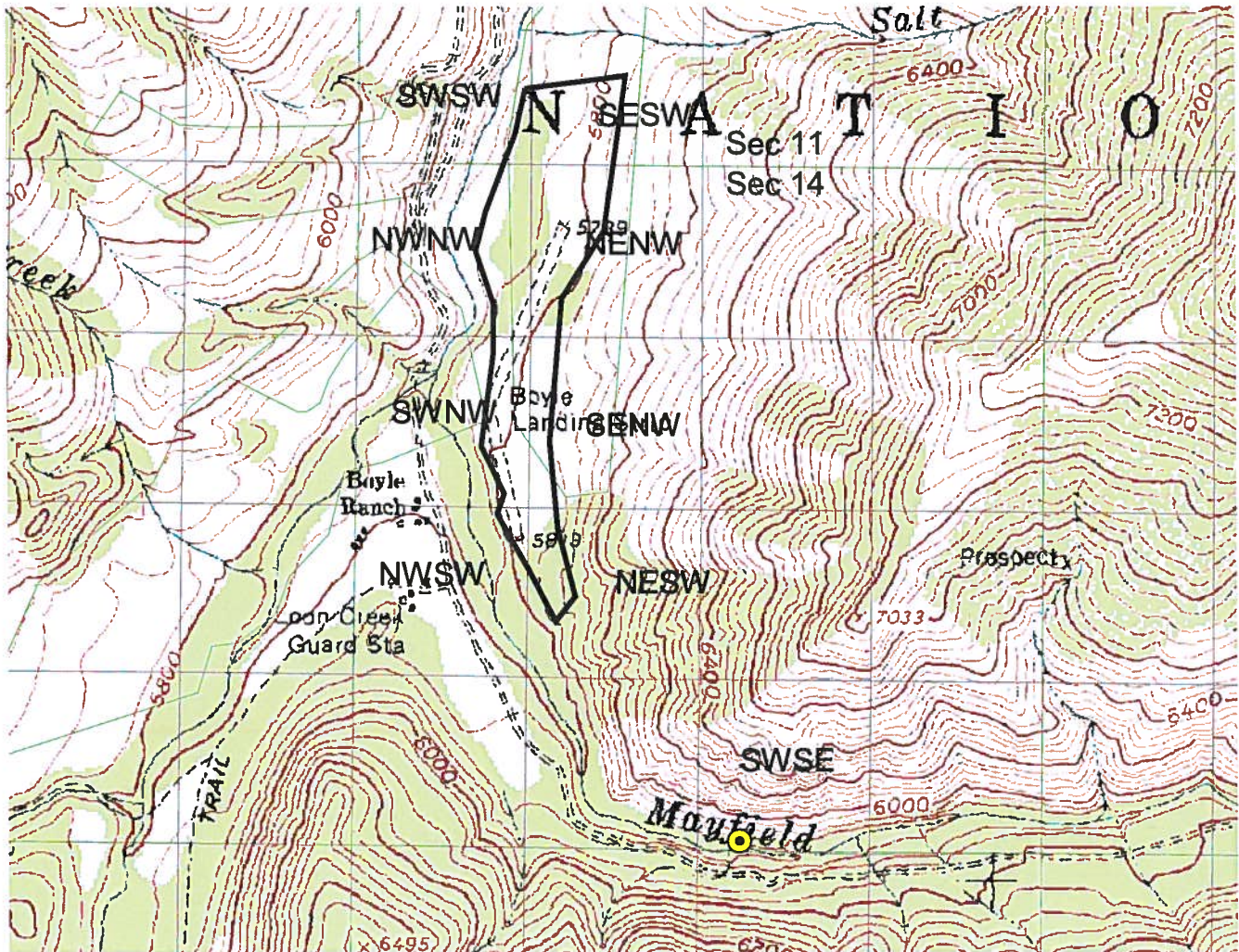
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is known as Homestead Entry Survey No. 605.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4173



0 900 1800 Feet



Sections 11 & 14
T14N R13E



● Point of Diversion

□ Place of Use

Map prepared on November 23, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for LOON CREEK LAND COMPANY, LLC](#)]

LOON CREEK LAND COMPANY, LLC

303 BALMORAL
BOISE, ID 83702

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 01 Aug 2005

State of Origin: IDAHO

Date of 06 Oct 2000

Origination/Authorization:

Current Registered Agent: THOMAS A DEMOREST
303 BALMORAL
BOISE, ID 83702

File Number: W13165

Date of Last Annual Report: 01 Sep 2005

Amendments:

Amendment filed 06 Oct 2000 ARTICLES OF
ORGANIZATION

[View Document
Online
Download \(TIFF
format\)](#)

Annual Reports:

Report for year 2005 ANNUAL REPORT

[View Document Online
Download \(TIFF format\)](#)

Report for year 2004 ANNUAL REPORT

[View Document Online
Download \(TIFF format\)](#)

Report for year 2003 ANNUAL REPORT

[View Document Online
Download \(TIFF format\)](#)

Report for year 2002 ANNUAL REPORT

[View Document Online
Download \(TIFF format\)](#)

Report for year 2001 ANNUAL REPORT

[View Document Online
Download \(TIFF format\)](#)

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[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED
JAN 11 1990

Ident. Number: A77-04173
Date Received: 12/07/1989
Receipt No: W007577
Received By: JFW

Department of Water Resources
Western Regional Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DIAMOND D RANCH PARTNERSHIP
Address: P.O. BOX 1
CLAYTON, ID 83227

2. Date of Priority: JAN 01, 1930

3. Source: MAYFIELD CREEK Trib. to: LOON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	13E	14	SW	SE			CUSTER

5. Description of diverting works:
DITCHES & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.080		

7. Total Quantity Appropriated is:
1.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	13E	11	SE	SW		IRR	15.0
						Section Acres	15.0
		14	NE	NW		IRR	20.0

A77-04173

Page 1

Date: 12/07/89

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	13E	14	SW	NW		IRR	2.0
			SE	NW		IRR	15.0
			NW	SW		IRR	2.0
						Section Acres	39.0
						Total Acres	54.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

2 P/D IN SWSE, S14, T14N, R13E.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/we do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/we do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Thomas A Demarest Date: X Dec. 28, 1989

State of MICHIGAN _____ Date: _____

State of ~~Idaho~~)
County of WAYNE) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of DECEMBER 19 89

Seal

Lynette V. O'Linn
Notary Public
LYNETTE V. O'LINN

Notary Public, Macomb County, MI
My Commission Expires July 18, 1993

Residing at _____

My Commission Expires _____

December 18, 2005

Ken Knoblock
Idaho Dept. of Water Resources
1910 Northwest Blvd.
Coeur d' Alene, Id. 83814

RECEIVED
DEC 21 2005
IDWR/North

Hello Ken;

Thanks for your recent call regarding the water rights of the Loon Creek Land Co., LLC, formerly known as the Diamond D Ranch. This summer I had received a general letter from Carter Fritschie's office. The letter basically said that all evidence of water rights needed to be provided before the end of 2005.

I called Carter to find out what I needed to do to supply the necessary information. He suggested that I go back as far as I could to supply actual facts with regards to water usage. I was able to go back to 1951. I met with Carter and gave him my report on usage. He has that report in the Boise office. I am sorry, I do not have a copy for you. I am enclosing a copy of a letter that I did provide for Carter. Also enclosed is a map of the three homesteads.

The Forest Service was helpful in providing a copy of the original certificates of registry for the three homesteads. I have also enclosed these copies for you. These certificates go back to the early 1900's.

The ranch is located in the Frank Church River of No Return Wilderness. I can not conceive of a situation where there would ever be another water user in our area, either above or below the ranch all the way to the Middle Fork of the Salmon.

If there is anything else I should do please let me know.

Sincerely,



Tom Demorest
General Partner
Loon Creek Land Co. LLC

RECEIVED
DEC 21 2005
IDWR/North

August 29, 2005

Carter Fritschle
Idaho Dept. of Water Resources
322 East Front Street
Boise, ID. 83720

Hello Carter,

Around the middle of July I contacted you by phone to obtain the proper method of indicating our water usage and approximate beginning dates for same. You pointed out that personal knowledge of the water history would be very beneficial. I have enclosed a separate document indicating what I know as fact and hope that will be helpful in determining our water rights.

If there is something additional that I should do, I would appreciate hearing from you.

Thanks for your help.

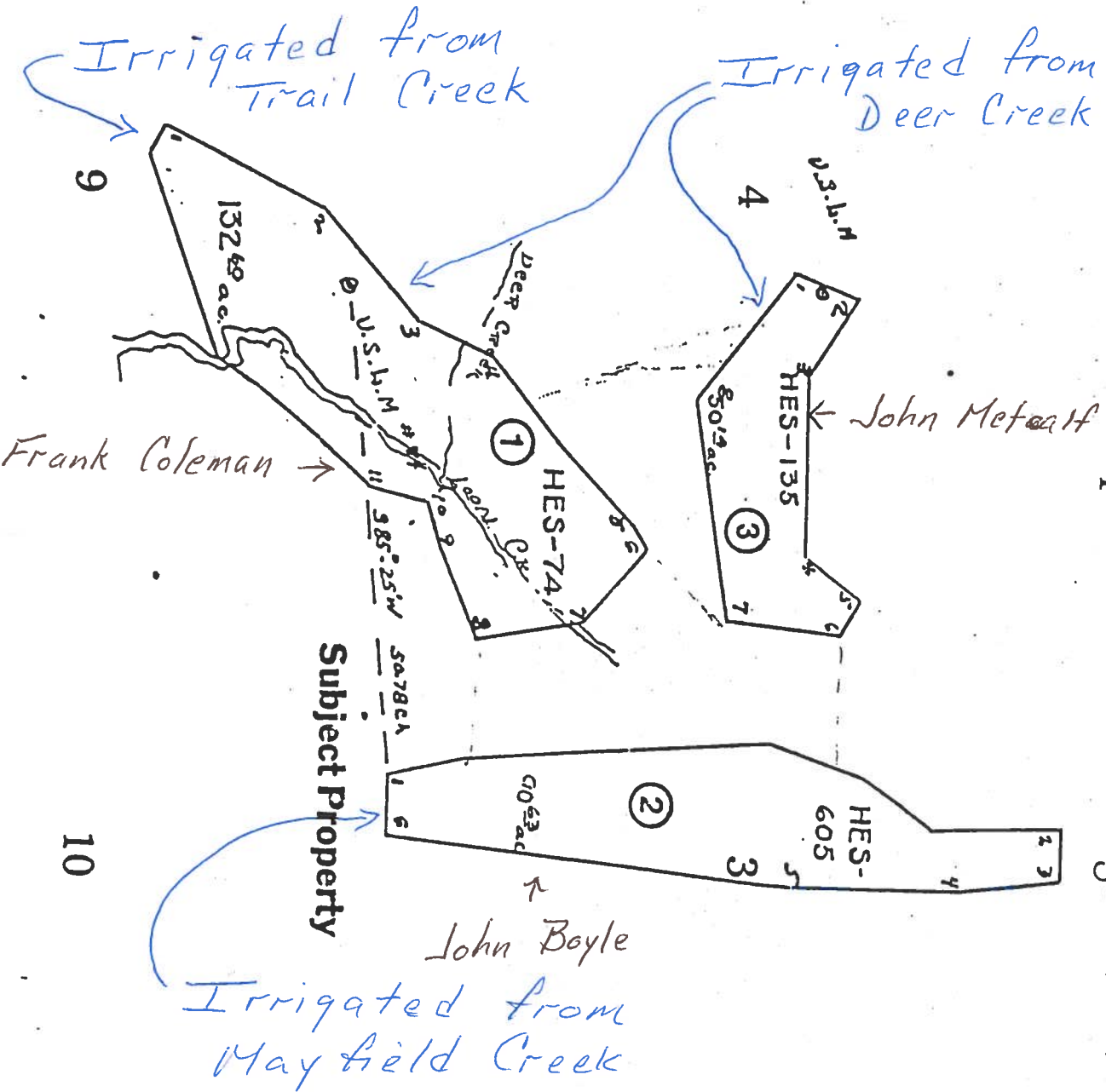
Sincerely,

Tom Demorest
General Partner
Loon Creek Land Co., L.L.C.

P.S. Since the Diamond D Ranch, Inc. is the operating company, we decided to change the name of the partnership company from the Diamond D Ranch, to the Loon Creek Land Co., L.L.C. to avoid confusion. The name change is all that took place and I will register that change with the Idaho Dept. of Water Resources.

CUSTER COUNTY, IDAHO—Township No. 14 N Range No. 14 E Bois

RECEIVED
DEC 21 2005
IDWR/North



RECEIVED
DEC 21 2005
IDWR/North

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Bailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John P. Boyle has been established and duly consummated, in conformity to law, for the H. E. Survey No. 605, embracing a portion of, approximately, Sections six and seven in Township fourteen north of Range fourteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which U. S. Location Monument No. 74, bears south eighty-five degrees twenty-five minutes west fifty and seventy-eight hundredths chains distant; thence, meandering the lines of Layfield and Leon Creeks, north thirteen degrees twenty-one minutes west eight and ninety-seven hundredths chains, north four degrees four minutes west twenty chains, north five degrees thirty-nine minutes west sixteen and sixty-six hundredths chains, north eighteen degrees fifty-six minutes east eleven and eighty-one hundredths chains, north thirty-five degrees ten minutes east nine and ninety-nine hundredths chains, north one degree fifty-two minutes west fifteen and twenty-five hundredths chains to corner No. 2; thence, south eight degrees fifty-six minutes east six and eleven hundredths chains to corner No. 3; thence, south seven degrees twelve minutes east twelve chains to corner No. 4; thence, south four minutes west twenty and fifteen hundredths chains to corner No. 5; thence, south five degrees nineteen minutes west forty-eight chains to corner No. 6; thence, north eighty-nine degrees fifty-six minutes west seven and twenty-two hundredths chains to corner No. 1, the place of beginning, containing ninety acres and sixty-three hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-

General:

NOT KNOW IT, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, Calvin Coolidge,

President of the United States of America, have caused these letters to be made

Patent, and the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTIETH

day of DECEMBER in the year of our Lord one thousand

nine hundred and TWENTY-EIGHT, and of the Independence of the

United States the one hundred and FORTY-TH

By the President

Calvin Coolidge

By the Secretary

William C. Clegg

M. P. Le Roy

Secretary

950249

RECORD OF PATENTS, BUREAU OF LANDS

The United States of America,

To all to whom these presents shall come, Greeting:

RECEIVED
DEC 21 2005
IDWR/North

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Frank Coleman has been established and duly consummated, in conformity to law, for the P. E. Survey No. 74, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which U. S. Location Monument No. 74 bears north sixty-eight degrees, two minutes east ten and five-tenths chains distant; thence north forty-nine degrees, fifty-three minutes east seventeen and sixty-two-hundredths chains to corner No. 2; thence north twenty-four degrees, thirty-seven minutes east nine and forty-five-hundredths chains to corner No. 3; thence north fifty-one degrees, fifty-three minutes east twelve and sixty-eight-hundredths chains to corner No. 4; thence north forty-seven degrees, twenty-five minutes east thirteen and twenty-six-hundredths chains to corner No. 5; thence north fifty-nine degrees, forty-three minutes east three and thirty-two-hundredths chains to corner No. 6; thence south fifty degrees, fifty-six minutes east eleven and forty-nine-hundredths chains to corner No. 7; thence south eleven degrees, three minutes east thirteen and thirty-nine-hundredths chains to corner No. 8; thence south sixty-nine degrees, five minutes west twelve and eighty-eight-hundredths chains to corner No. 9; thence south seventy-seven degrees, fourteen minutes west four and sixty-one-hundredths chains to corner No. 10; thence south fifteen degrees, forty-five minutes west seven and forty-six-hundredths chains to corner No. 11; thence south forty-four degrees, fifty-two minutes west eight and three-hundredths chains to corner No. 12; thence

4 11-44 H.

south thirty-nine degrees, thirty-two minutes west nine and seventeen-hundredths chains to corner No. 13; thence south thirty-four degrees, twenty-eight minutes west six and thirty-three-hundredths chains to corner No. 14; thence south seventy-one degrees, forty-eight minutes west twenty-five and forty-two-hundredths chains to corner No. 15; thence north fifty-four degrees, twenty-four minutes west three and thirty-five-hundredths chains to corner No. 16; thence north twenty-five degrees, forty-one minutes east twenty and seventy-nine-hundredths chains to corner No. 1, the place of beginning, containing one hundred thirty-two and sixty-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES, unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I,

Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-SECOND

(SEAL)

day of MAY In the year of our Lord one thousand nine hundred and THIRTEEN

United States the one hundred and THIRTY-SEVENTH.

By the President:

By.

Woodrow Wilson

M. O. Le Roy

Secretary.

John O. Connell
Acting Recorder of the General Land Office.

Hailey 010666.

4-1008-H.

RECEIVED
DEC 21 2005
IDWR/North

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho,

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

John H. Metcalf

has been established and duly consummated, in conformity to law, for the H.E. Survey No. 135, embracing a portion of the unsurveyed Public Domain, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1 from which, U. S. Location Monument No. 135 bears north twenty-nine degrees seventeen minutes east two and three-tenths chains distant; thence north twenty-one degrees fifteen minutes east eight chains to corner No. 2; thence south fifty-eight degrees fifty-eight minutes east ten and eighty-one hundredths chains to corner No. 3; thence north eighty-nine degrees fifty-seven minutes east twenty-one and eighty-eight hundredths chains to corner No. 4; thence north thirty-five degrees four minutes east seven and ninety-nine hundredths chains to corner No. 5; thence south sixty-two degrees eight minutes east four and nine-tenths chains to corner No. 6; thence south four degrees fifty-eight minutes west fourteen and nine-hundredths chains to corner No. 7; thence south eighty-one degrees thirty-nine minutes west twenty-six and seventy-one hundredths chains to corner No. 8; thence north fifty-two degrees fifty-five minutes west nineteen and thirty-nine hundredths chains to corner No. 1, the place of beginning; containing fifty and fourteen-hundredths acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

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President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the FOURTH

(SEAL)

day of

MAY

In the year of our Lord one thousand

nine hundred and

SEVENTEEN

and of the Independence of the

United States the one hundred and

FORTY-FIRST.

By the President:

By

Woodrow Wilson

M. O. LeRoy, Secretary.

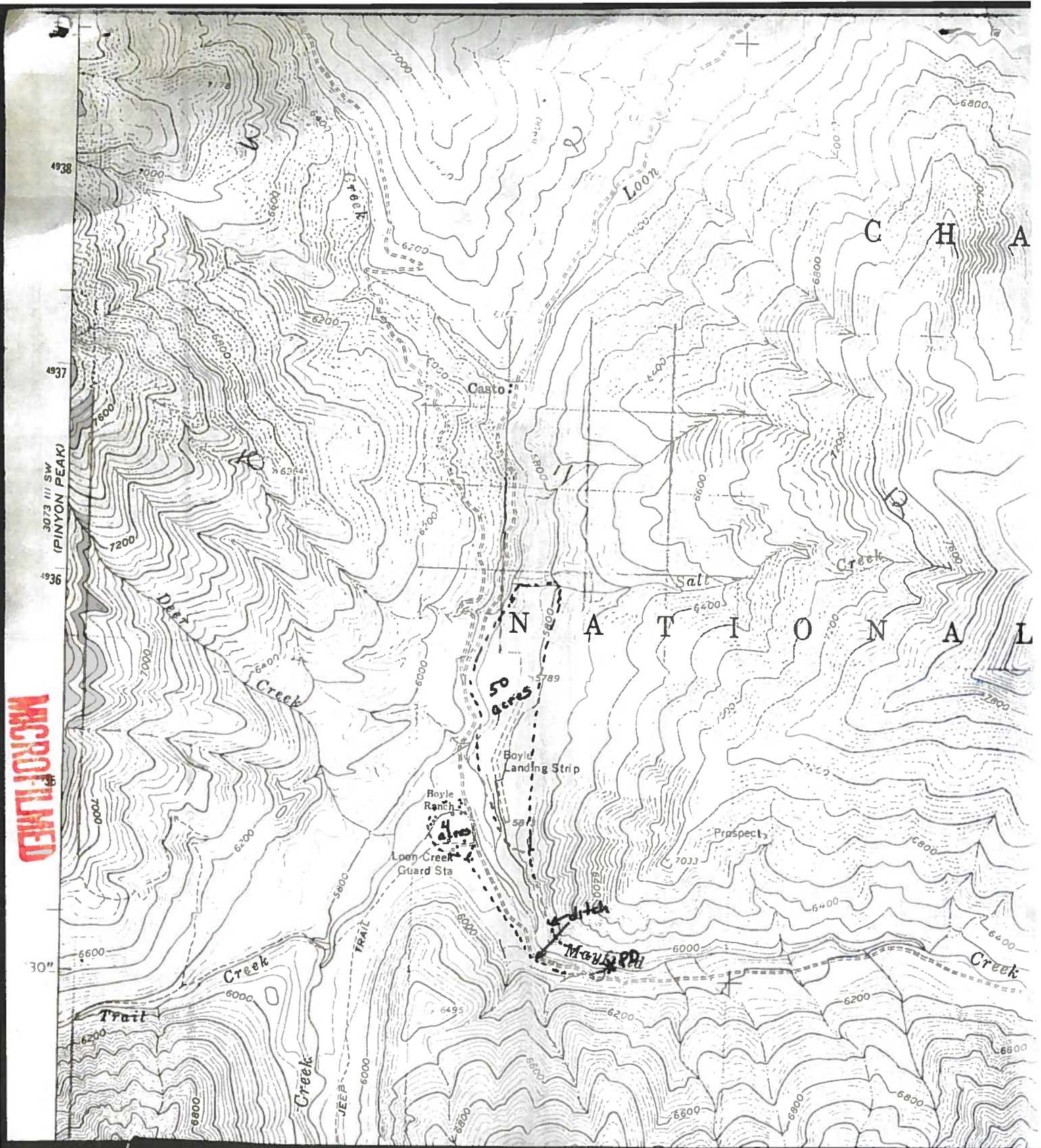
L. L. C. Lamar

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

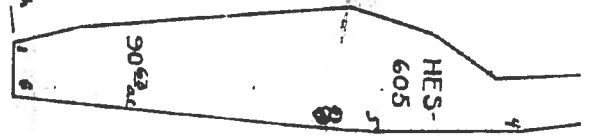
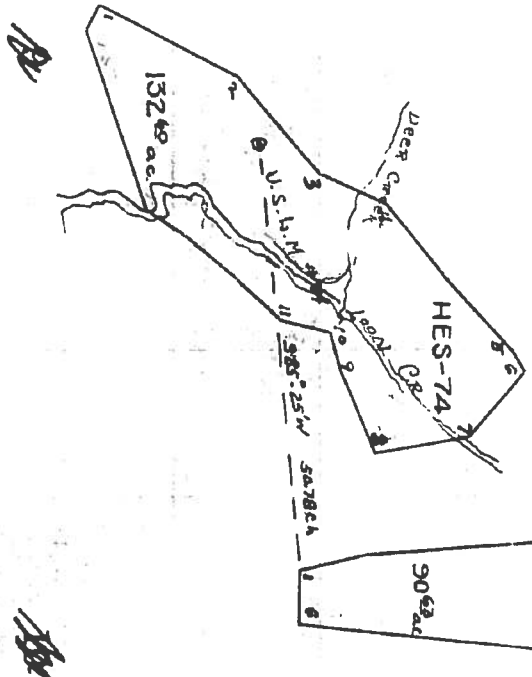
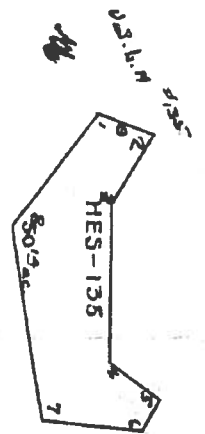
582437

—1271



Handwritten marks resembling 'N' and 'W' with arrows.

Handwritten mark resembling 'E'.



Handwritten text: "H. V. 143" and "30-143".

August 29, 2005

Carter Fritschle
Idaho Dept. of Water Resources
322 East Front Street
Boise, ID. 83720

Hello Carter,

Around the middle of July I contacted you by phone to obtain the proper method of indicating our water usage and approximate beginning dates for same. You pointed out that personal knowledge of the water history would be very beneficial. I have enclosed a separate document indicating what I know as fact and hope that will be helpful in determining our water rights.

If there is something additional that I should do, I would appreciate hearing from you.

Thanks for your help.

Sincerely,

Tom Demorest
General Partner
Loon Creek Land Co., L.L.C.

P.S. Since the Diamond D Ranch, Inc. is the operating company, we decided to change the name of the partnership company from the Diamond D Ranch, to the Loon Creek Land Co., L.L.C. to avoid confusion. The name change is all that took place and I will register that change with the Idaho Dept. of Water Resources.

August 29, 2005

Idaho Dept. of Water Resources
322 East Front Street
Boise, ID 83720-0098

Re: History of Water Rights Claim

Gentlemen,

In 1951 I first visited what is now known as the Diamond D Ranch. The ranch was then known as the Boyle Ranch. In 1952 my father, John A. Demorest, went into a 50/50 partnership with Joseph J. Boyle. John Demorest purchased Joseph Boyle's remaining interest in the ranch in 1960. The ranch then became known as the Diamond D Ranch. Prior to the death of John A. Demorest, in 1980, the Diamond D Ranch became legally titled the Diamond D Ranch, Partnership. The partners were John A. Demorest, Thomas A. Demorest, and John P. Demorest. Thomas and John P. were brothers and sons of John A. Demorest.

With the passing of John A. Demorest, in 1980, his third interest in the Diamond D Ranch Partnership was evenly divided amongst his four sons, Thomas A., John P., William G. and Robert E. Demorest. Thomas A. and John P. Demorest purchased the interest of William G. and Robert E. Demorest evenly and thus became 50/50 partners in the Diamond D Ranch, Partnership. There was no division of water rights at any time. As of October, 2000, John P. Demorest sold his partnership interest in the Diamond D Ranch to John Short and Mary and Salvatore A. Craparotta, each now owning 25% of the Partnership interest. In November of 2003, Mary and Salvatore Craparotta divorced. Mary Craparotta received the ranch interest in a divorce settlement. A short time later she changed her name back to her maiden name and is now legally known as Mary C. Ritter. The partners are now Thomas and Linda Demorest, 50% owners, John Short, 25% owner and Mary C. Ritter, 25% owner. Since the operating company is known as the Diamond D Ranch, Inc. we decided to rename the property from the Diamond D Ranch, Partnership, to the Loon Creek Land Co., L.L.C., to avoid confusion.

There has been no division of water rights, or water use amount with the partners since 1952, just a change in partners. I, Thomas A. Demorest, have personally been involved in the use of water from Trail Creek (original two ditches), from 1952 to present date. The water was used for irrigation. The same was true for water taken from Deer Creek.

John Boyle was said to have homesteaded 90 acres of land in 1933. There is a small piece of public land between the Boyle and Coleman homesteads. This homestead was irrigated by a single ditch and flume from Mayfield Creek. By 1952 the flume had pretty well disintegrated. In 1971 I had a ditch built from the field to Mayfield Creek which we have used for irrigation ever since.

I believe it was 1978 that we applied to the state for a non-consumptive water permit to fill a small lake for a hydro-electric system. This water was taken out of Loon Creek.

To my knowledge we have filed all water right uses with the state during the nineteen seventies.

The Colemans had homesteaded the largest part of the ranch in 1904. They grew hay and raised cattle at that time. I do not know of any water rights registry at that time but assume that some type of permit had to exist. I did know and talked to some of the Colemans about the ranch development.

I trust this information will be helpful in determining water rights uses and permits.

Sincerely,

Thomas A. Demorest
General Partner
Loon Creek Land Co., L.L.C.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2005

77-4173

DIAMOND D RANCH PARTNERSHIP

PO BOX 1555

BOISE ID 83701-1555

Re: Field Examination and Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights.

The elements of beneficial use rights need to be verified by an examiner for the Idaho Department of Water Resources (IDWR) before the claim can be recommended to the SRBA Court. The examination of claims in your area will take place during the summer of 2005. An examiner will be contacting you to schedule a time to visit your property to verify your use of the water right claimed.

Also, even though most of the elements of your claim can be verified by the field exam, the date of first use, or priority date can only be verified by documentation of the historic use. If you have not supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by August 31, 2005. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosure:

Evidence of Priority Date pamphlet

Additional claimant(s) and/or claim(s):

77-4176

DIAMOND D RANCH PARTNERSHIP

PO BOX 1555

BOISE ID 83701-1555

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED

APR 05 1999

WATER RESOURCES
WESTERN REGION

[] Water Right Number(s):

A 77-07080

A 77-04177

A 77-04173

A 77-04176

[] Old Mailing Address:

Diamond D Ranch

P.O. Box 1

Clayton, Id. 83227

[] New Mailing Address:

Diamond D Ranch

P.O. Box 1555

Boise, Id. 83701

Telephone Number:

(208) 336-9772

[] Signature of Claimant:

Thomas C. Hemmest

Date:

April 2, 1999

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
222 SHOSHONE ST EAST
TWIN FALLS ID 83301-6602
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Right No. 77-04177

Diamond D Ranch Partnership
PO Box 1555
Boise ID 83701

Dear Claimant:

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note the address has also been changed on water right numbers A77-04173, A77-04176 and A77-07080.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures