

Robert R. "Rick" Rice
1574 W. State Street
Coeur d'Alene, ID 83815

Phone: (208) 664-1973
Cell: (208) 651-3896

RECEIVED

AUG 28 2013

IDWR / NORTH

August 28, 2013

Shaun M. Maxey
Senior Water Resource Agent
Idaho Dept. of Water Resources, Northern Region

Dear Mr. Maxey:

The following information is being submitted to you as a sworn affidavit and is notarized as is indicated on the following page:

Robert A. Rice died on January 18, 2012. I am his son and have been appointed his personal representative while his estate is in probate (please see "Letters Testamentary" attached). My Mother, Phyllis Rice, is the sole beneficiary to my Father's estate.

Robert A. Rice was issued a "Water Right License", water right No. 94-07296, on August 23, 1975. Such water license stated the point of diversion as being an unnamed stream, tributary to the East Fork of Pine Creek, near Pinehurst, Idaho, in NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 29, Township 48N, Range 02E, Boise Meridian.

Robert A. Rice submitted a "Notice of Claim to a Water Right", identification Number 94-7296 which indicates it was received by the Fifth Judicial District of the State of Idaho on December 16, 2011. The claim information he provided was the same as the information he provided in the above noted "Water Right License" except for the point of diversion of the water, which was recorded as the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, Township 48N, Range 02E, Boise Meridian.

The location of the point of diversion has not changed since it was initially installed according to item 5 of the Notice of Claim to a Water Right and per my observation of the same on August 27, 2013. However, I believe that both of the above described diversions are in error with respect to the $\frac{1}{4}$ sections they referenced. I believe the errors resulted from the source being located so close to the corner of the section quarters. It is difficult to precisely identify the proper $\frac{1}{4}$ of $\frac{1}{4}$ section even with the aid of satellite photographs which Father did not possess.

I, with the assistance of my brother, carefully measured the distance of the source from some prominent landmarks that show up well on the satellite photo of the parcels. It is my firm belief, according to my measurements, that the point of diversion is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, Township 48N, Range 02E, Boise Meridian. That puts it in parcel

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48N02E290200. Please see the enclosed copy of the satellite photo. There is a blue circle located by two blue arrows between the 2 and the 9 about in the middle of the photo where it reads "48N2E29". This is as close to the source of diversion as I can develop without a survey.

Please call me at either of the above numbers if you require any additional information.

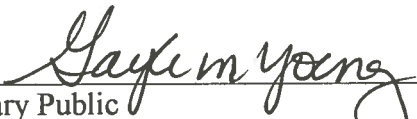
Sincerely,

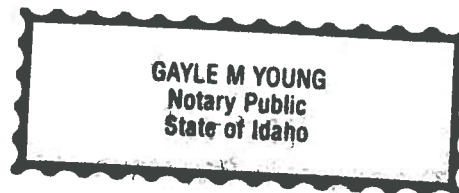


Robert R. "Rick" Rice

Encl: Copy of satellite photo with indicated source of diversion.
Copy of "Letters Testamentary" showing my appointment as Robert A. Rice's personal representative.

Before me on this 28th day of August, 2013, appeared Robert R. Rice who has satisfactorily identified himself to me and who has signed this document in my presence.


Notary Public
Gayle M Young
notary for State of IDAHO
Kootenai County
Comm exp 9-2-16



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