



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 31, 2014

H Martel Brower
65 Stateline Rd
Freedom WY 83120

RE: Snake River Basin Adjudication (SRBA) Claim No. 24-10794

Dear Mr. Brower:

Thank you for filing your SRBA claim referenced above for water diverted from Tin Cup Creek. Idaho Department of Water Resources (IDWR) is currently reviewing all of the claims for water rights diverted in Wyoming and used in Idaho that were filed in response to the letter from IDWR's Director Gary Spackman dated July 17, 2014.

The documentation you provided with your claim included copies of two Wyoming permits, Permit No. 5791 and Permit No. 5792. In reviewing these documents, it appears that they are copies of the original applications for the water rights, and not the final determination of the water rights by the Wyoming State Engineer's Office (WSEO). Therefore, I conducted an online search for these records on the WSEO's website. While I was not able to retrieve copies of the actual Wyoming Certificates of Appropriation of Water, I was able to find data that indicated fewer acres were "adjudicated" for these permits than had been applied for.

In summary, the data from the WSEO website indicates a total of 37.7 acres were awarded to Harold Brower for a water right from Tin Cup Creek to irrigate land in Idaho. More specifically, the lands described are 4.7 acres in the SW1/4 of the SE1/4 (Lot 4) Section 27, 21 acres in the NW1/4 of the NE1/4 (Lot 1) Section 34, and 12 acres in the SW1/4 of the NE1/4 (Lot 2) Section 34, all in Township 4 South, Range 46 East, Boise Meridian.

If you can supply a copy of the Wyoming Certificate of Appropriation of Water for the Tin Cup Creek water right, I will rely on the information described in that certificate rather than the data from the WSEO website to prepare the recommendation of your claim that will be reported to the SRBA Court. I will need this information no later than January 30, 2015.

If you have any questions or need additional clarification, please contact me using the Adjudication Hotline at 1-800-451-4129, or send an email to Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources