

04/11/2006

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

RIGHT NUMBER: 67-4174

NAME AND ADDRESS: CAROLA HOLDINGS
C/O HENRY C PHIBBS II ESQ
BOX 1082
JACKSON WY 83001

SOURCE: MIDDLE FORK WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T15N R01W S12 SWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T15N R01W S12	SESW	3.70	T15N R01W S13	NENW	6.90
T15N R01W S13	NWNW	14.00	T15N R01W S14	NENE	12.00
T15N R01W S14	NWNE	5.70			

42.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 42.3 acres in a single irrigation season. Combined Right Nos.: 67-87, 67-93, and 67-4174

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

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



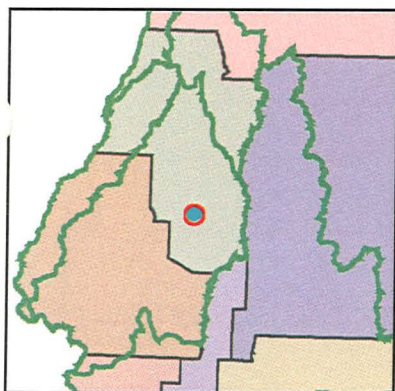
Idaho Department of Water Resources

Adjudication Claim:

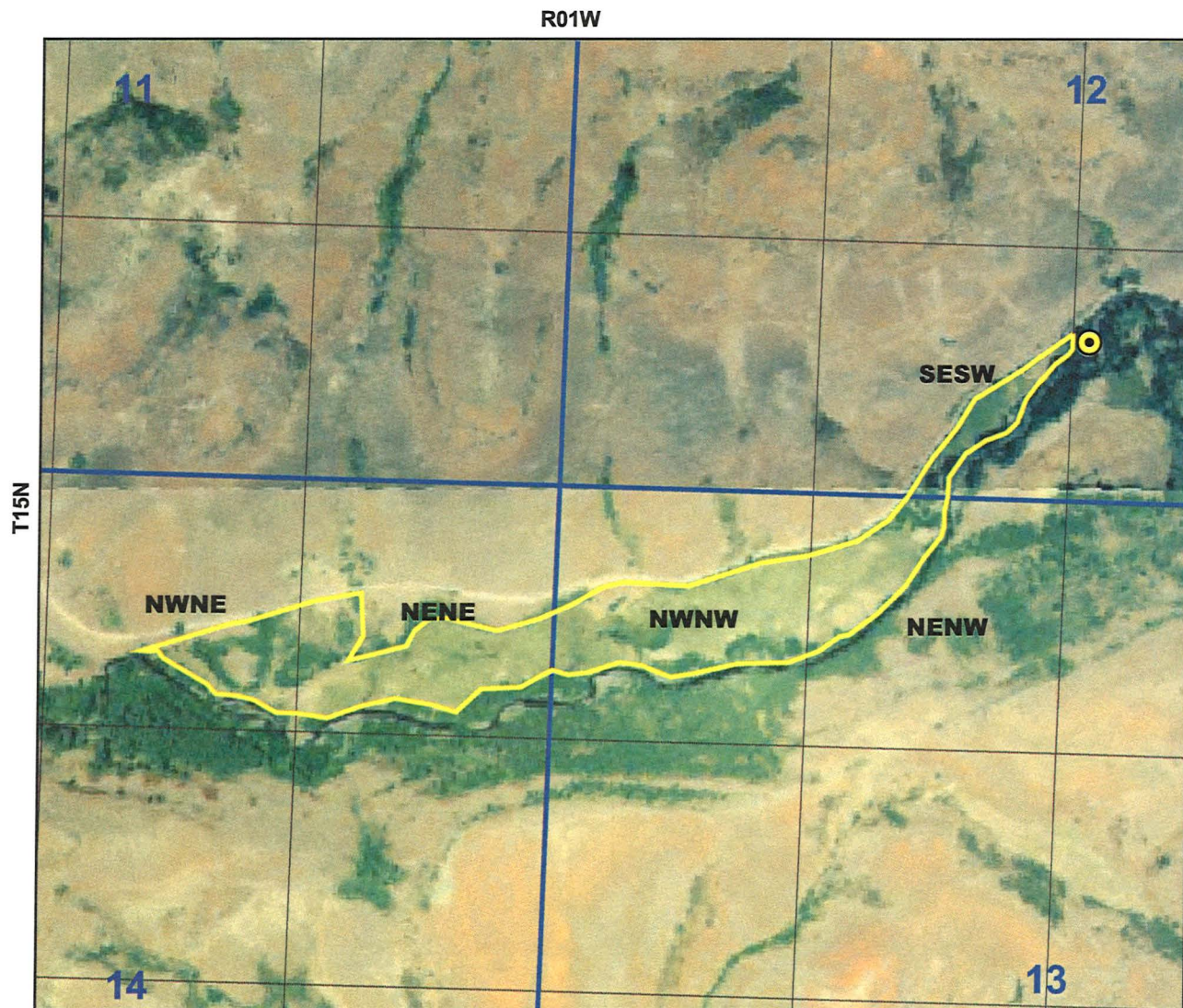
67-4174

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Adams County
IDWR Basin 67



0 0.4 0.8 Miles



Prepared by C. Saxton
On Tuesday, April 11, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4174 V1

WATER RIGHT NUMBER: 67-4174 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALDEN L WILSON PO BOX 262 COUNCIL, ID 83612
Current Owner	CAROLA HOLDINGS C/O HENRY C PHIBBS II ESQ BOX 1082 JACKSON, WY 83001 (307)733-5004

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

MIDDLE FORK WEISER RIVER	SW1/4SE1/4	Sec. 12, Twp 15N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01W	12												3.7					3.7
15N	01W	13					6.9		14.0										20.9
15N	01W	14	12.0	5.7															17.7

Total Acres: 42.3

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 42.3 acres in a single irrigation season. Combined Right Nos.: 67-87, 67-93, and 67-4174

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4174 V1

2. C18 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.

Remarks:Comments:

1. csaxton 4/11/2006 PPU
Comment: PPU with 67-87 and 67-93.
2. csaxton 4/11/2006 FE
Comment: FE conducted by Melanie Vining and Monica Van Bussum on 7-26-05.
3. csaxton 4/11/2006 Priority Date
Comment: Direct overlap with decreed water. Can recommend one day after the Muir vs. Allison decree was signed without further evidence of priority.
4. csaxton 4/11/2006 Copied From Claim
Comment: OTHER RIGHTS (CONT.): 67-00090, 67-00093, 67-04175, 67-04176.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	4/11/2006 12:40:23 PM	csaxton			Active
Priority Date	4/11/2006 12:46:49 PM	csaxton			Active
POD	4/11/2006 12:47:36 PM	csaxton			Active
Source	4/11/2006 12:54:24 PM	csaxton			Active
POU	4/11/2006 12:55:22 PM	csaxton			Active
Use	4/11/2006 12:56:39 PM	csaxton			Active
Season	4/11/2006 12:57:00 PM	csaxton			Active
Quantity	4/11/2006 1:01:42 PM	csaxton			Active
Summary			04/11/2006	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4174 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	4/11/2006 1:01:42 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Claims for 0.20 cfs or less do not require measurement.
Summary	4/11/2006 1:20:30 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (Yes) 9. Do you have documents you would like to attach or link to the file? (No) 10. Would you like to set the verification date?
POD	4/11/2006 12:47:37 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	4/11/2006 12:53:47 PM	csaxton	Updated PLS
POU	4/11/2006 12:56:11 PM	csaxton	Updated shape for Active POU
POU	4/11/2006 12:56:19 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4174 V1

General	4/11/2006 12:46:49 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Direct overlap with decreed water. Can recommend one day after the Muir vs. Allison decree was signed without further evidence of priority.
Contacts	4/11/2006 12:40:24 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE conducted by Melanie Vining and Monica Van Bussum on 7-26-05.
POD	4/11/2006 12:52:12 PM	csaxton	Updated shape
Source	4/11/2006 12:54:24 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE conducted by Melanie Vining and Monica Van Bussum on 7-26-05.
POU	4/11/2006 12:55:23 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FE conducted by Melanie Vining and Monica Van Bussum on 7-26-05. Direct overlap with decreed water.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4174 V1

Use	4/11/2006 12:56:40 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FE conducted by Melanie Vining and Monica Van Bussum on 7-26-05.
Season	4/11/2006 12:57:01 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

Claim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Claimed Source	Water Use(s)	Owner(s)	Source Table
67	80	D	Decreed	Active	9/11/1909	4	960	WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	87		Decreed	Active	1894-05-01	0.6	960	WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	88		Decreed	Active	5/1/1900	0.26	920	WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	89	A	Decreed	Active	5/1/1900	0.42		WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	90	B	Decreed	Active	5/1/1903	0.88	960	WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	93		Decreed	Active	5/1/1911	0.15	960	WEISER R	IRRIGATION, S	CAROLA HOLD	Claim
67	4174		Statutory C	Active	5/1/1911	1	50	WEISER R	IRRIGATION	CAROLA HOLD	Claim
67	4175		Statutory C	Active	5/1/1903	2	200	WEISER R	IRRIGATION	CAROLA HOLD	Claim
67	4176		Statutory C	Active	1894-05-01	2		WEISER R	IRRIGATION	CAROLA HOLD	Claim

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water in Inches	File #	Original Owner	Priority Date
20	15N01W130	CAROLA	\$ 24.00	\$21.00	30	87	B WOODEN	5/1/94
20	15N01W110	CAROLA	\$ 10.40	\$9.10	13	88	H HEIMSOTH	5/1/00
20	15N01W120	CAROLA	\$ 6.00	\$5.26	7.5	93	CE ROPER	5/1/11
20	15N01W120	CAROLA HOLDING		\$3.10	4.44		20 STG	
20	15N01W080	MINK L&	\$ 35.20	\$30.80	44	90	W SHAW	5/1/03

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	87		Decreed	Active	1894-05-01	0.6	42.3	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
67	93		Decreed	Active	5/1/1911	0.15	12	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
						Total =	0.75	42.3			
67	4174		Statutory C	Active	5/10/1918	0.1	42.3	WEISER R	IRRIGATION	CAROLA HOLD	Recommendation
							0.85	42.3			
67	88		Decreed	Active	5/1/1900	0.26	20.8	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
67	90	B	Decreed	Active	5/1/1903	0.88	70.4	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
						Total =	1.14	91.2			
67	4175		B-use	Active	5/10/1918	1.21	117.6	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
							2.35	117.6			
67	80	D	Decreed	Disallowed	9/11/1909	0	0	WEISER R	IRRIGATION, S	CAROLA HOLD	Recommendation
67	4176		Statutory C	Disallowed	1894-05-01	0	0	WEISER R	IRRIGATION	CAROLA HOLD	Recommendation

Saxton, Craig

From: Saxton, Craig
Sent: Friday, March 24, 2006 11:26 AM
To: Christopher H. Meyer (E-mail)
Subject: POD measurement information

Hey Chris,

Thanks for the message. Based on the information provided stating that the last time the land below the river was irrigated was 1968, I will have to remove that acreage from the recommendations.

As far as the diversion rate. In order to remove the need for the remark we spoke about, I need evidence that 3.43 cfs can be diverted through the POD in section 14. What I am thinking, is if your client cannot provide information on the flow, I think it best that we come out there when we can and when high water is flowing and get a measurement from the weir.

The more we talk, the more it is appearing that we have two separate irrigation systems out there. One from the POD in Section 12, and one from the POD in section 14. If there are two separate systems, then I am going to have to recommend the rights in two groups (instead of one big one).

The ground irrigated from Section 14 is 117.6 acres and includes the following rights:

67-88
67-90B
67-4175; priority of 5-10-1918 (one day after the decree)
67-4176 (disallow as recommended under 67-4175)

The total diversion rate planned to be recommended under these rights is 2.35 cfs or 1 inch per acre. This is the POD that we still need to confirm can divert 3.43 cfs or more to avoid adding a limiting remark to the rights diverted from this point of diversion.

The ground irrigated from Section 12 is 42.3 acres and includes the following rights:

67-87
67-93
67-4174; priority of 5-10-1918 (one day after the decree)

The total diversion rate planned to be recommended under these rights is 0.85 cfs or 1 inch per acre.

In summary, I am still planning on recommending all the acreage we spoke about at the very beginning except for the acreage on the south side of the river. And I still feel I can recommend a total of 1 inch per acre on all the ground irrigated. And if we confirm a greater diversion rate from the POD in section 14, then we won't have an limiting remark. I am just describing two irrigation systems as that is what appears to exist in the field.

Drop me a line if you have questions. I will be leaving the office today at 1:30 however, but will be back in on Monday.

Have a good weekend.

Craig



RECEIVED

MAR 14 2006

DEPARTMENT OF
WATER RESOURCES

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

CHRISTOPHER H. MEYER
DIRECT DIAL: 208 388-1236
CELL: 208 407-2792
EMAIL: chrismeyer@givenspursley.com

Gary G. Allen
Kristen A. Atwood
Kelly T. Barbour
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Elguren
Timothy P. Fearnside
Jeffrey C. Fereday
Melissa A. Finocchio*
Steven J. Hippler
Karl T. Klein
Debora K. Kristensen
Anne C. Kunkel

Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Bradley V. Sneed

H. Barton Thomas, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

Raymond D. Givens
RETIRED

James A. McClure
RETIRED

Kenneth L. Pursley
RETIRED
*Licensed in California

Via E-mail & U.S. Mail

March 10, 2006

Craig L. Saxton
Senior Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Carolex LP – Water Right Nos. 67-80D, 67-81AC, 67-87, 67-88, 67-89A,
67-90B, 67-93, 67-4174, 67-4175, 67-4176, 67-4270, and 67-7338

Dear Craig:

This follows up on our December 15, 2005 meeting regarding the above-captioned water rights for which SRBA claims have been filed by my client, Carolex LP, in Adams County. Carolex also owns rights in other basins, which are not addressed in this letter.

I. NAME OF ENTITY

As I mentioned, there has been a change in the corporate entity, from Carola Holdings to Carolex LP. We will forward to you a change of ownership form and documentation.

II. WATER RIGHT NO. 67-80D

Water Right No. 67-80D is claimed out of original Water Right No. 67-80, which corresponds to the original right decreed in the amount of 3,500 inches to Orchards Water Company with an extensive place of use, the closest to the Carolex property being:

T15N, R1W, Sec. 10, S SW
T15N, R1W, Sec. 10, SE SW

This is outside of the Carolex property. As of this date, I do not have evidence that any portion of this right was transferred to Carolex.

III. WATER RIGHT NO. 67-81AC

Carolex holds shares in the Lost Valley Reservoir Company. We understand that Carolex's claim for Water Right No. 67-81AC will be disallowed on the basis that the water rights associated with the Lost Valley Reservoir will not be decreed to the individual shareholders (which hold beneficial title), but instead will be decreed to the Lost Valley Reservoir Company (which holds legal title).

Storage water from this project is used by Carolex for exchange purposes. I have discussed this with David Tuthill, who is reviewing these storage claims. David assured me that the place of use for the Reservoir Company's rights will include the Carolex property. David and I agree that there is no need to document the exchange arrangement under which storage rights are released from the reservoir for the benefit of Carolex's diversion on the Middle Fork Weiser River.

IV. WATER RIGHT NO. 67-89A

Water Right No. 67-89A is claimed out of original Water Right No. 67-89, which corresponds to the original right decreed in the amount of 21 inches to George Shaw with the following place of use:

T15N, R1W, Sec. 10, NW NE
T15N, R1W, Sec. 10, NE NW
T15N, R1W, Sec. 3, E SW

This is outside of the Carolex property. It is my understanding that this is property owned today by Alvin Yantis, not Carolex. As of this date, I do not have evidence that this right was transferred to Carolex.

V. WATER RIGHT NO. 67-90B

When we met, you pointed out that the watermaster lists Water Right No. 67-90B in the name of Mink Land & Livestock. This is in error. This water right is owned by Carolex. I have spoken with the watermaster, Bosco Bosler, about correcting the watermaster's records.

Water Right No. 67-90B is claimed out of original Water Right No. 67-90, which corresponds to the original right decreed in the amount of 44 inches to William B. Shaw with the following place of use:

Craig L. Saxton
March 10, 2006
Page 3

T15N, R1W, Sec. 11, NW NW
T15N, R1W, Sec. 2, SW SW
T15N, R1W, Sec. 10, N SE
T15N, R1W, Sec. 10, S NE
T15N, R1W, Sec. 10, NE NE
T15N, R1W, Sec. 10, SE NW

All of this property (except for the portion in section 2) is on the current Carolex property.

A claim has been filed by Julia I. Marcum for Water Right No. 67-90A, which also derives from the same original right No. 67-90. I am advised that Ms. Marcum is now deceased and that her land is now part of the Carolex property. Consequently, the entire 44 inches should be recommended for Carolex, in accordance with Carolex' SRBA claim.

Please let me know if you need any further documentation.

VI. WATER RIGHT NOS. 67-87, 67-88, 67-90B, 67-93

It is my understanding that you anticipate recommending Carolex's decreed rights as follows:

Water Right Number	Inches	Cfs
67-87	30.0	0.60
67-88	13.0	0.26
67-90B	44.0	0.88
67-93	7.5	0.15
Total	94.5	1.89

If this changes, would you please let me know before the Director's report goes out?

VII. WATER RIGHT NOS. 67-4174, 67-4175, AND 67-4176

I understand that the three statutory claims, Water Right Nos. 67-4174, 67-4175, and 67-4176, are likely to be recommended with priority dates one day after the 1921 decree date and, consequently, will be available only when all decreed rights have been satisfied.

The claims were filed in the following quantities:

Water Right Number	Inches	Cfs
67-4174	50.0	1.0
67-4175	100.0	2.0
67-4176	100.0	2.0
Total	250.0	5.0

It is my understanding that the Department's recommendation will scale this back substantially. The Department will recommend a quantity sufficient to bring the total water rights for the Carolex property up to an inch-per-acre. What that number is will depend, in turn, on what the Department determines is the number of acres in the place of use. I discuss place of use below.

VIII. WATER RIGHT NOS. 67-4270 AND 67-7338

It is my understanding that these two domestic rights, Water Right Nos. 67-4270 and 67-7338, already have their partial decrees, and that no further action is required.

IX. 1979 APPLICATIONS

Carolex's ranch operator, Alvin Yantis, tells me that he distinctly recalls filing additional applications for water rights on behalf of Carolex's predecessor with IDWR in approximately 1979. These are different from the three statutory claims filed in 1977 (Water Right Nos. 67-4174, 67-4175, 67-4176). However, Alvin cannot locate records of this. Would you please check to see if the Department has any records of any water right applications for the Carolex property in addition to those listed in the caption to this letter?

X. PLACE OF USE

When I met with you, you explained that it appears that some lands are being irrigated south of the river. I am advised that Carolex is not currently irrigating land south of the river. However, this land has been irrigated in the past, and the company hopes to begin irrigating it again. Consequently, we believe it is appropriate to include these lands within the company's permissible place of use.

XI. POINTS OF DIVERSION

There is some inconsistency in the record over the location of points of diversion. Each of Carolex' water rights (both decreed and statutory claims) should have the same two points of diversion:

T15N, R1W, Sec. 12, SW SE (shown as a square dot in § 12 of IDWR map)

Craig L. Saxton
March 10, 2006
Page 5

T15N, R1W, Sec. 14, NW NE (shown as round dot in § 14 of IDWR map)

IDWR's map (copy enclosed) shows a third point of diversion, a square dot in the NE NE of section 14. Although this is not an active point of diversion, we have no objection to it being listed as an alternative point of diversion.

The Company's claim for Water Right No. 67-4176 lists a different point of diversion: T15N, R1W, Sec. 12, NW NE. This point of diversion is in error. As noted, each of the water rights have the same points of diversion.

Thank you again, Craig, for your help in evaluating Carolex's rights. Please do not hesitate to contact me if you have additional questions or if there are other issues that we should discuss prior to issuance of the Director's Report.

Sincerely,



Christopher H. Meyer

Encl: IDWR's map showing PODs.

cc: Lea Kuvinka, attorney for Carolex LP

CHM:kdt S:\CLIENTS\1697\5\CHM Ltr-0003.DOC

GIVENS PURSLEY ^{LLP}

LAW OFFICES
601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

CHRISTOPHER H. MEYER
DIRECT DIAL: 208 388-1236
CELL: 208 407-2792
EMAIL: chrimeyer@givenspursley.com

Gary G. Allen
Kristen A. Atwood
Kelly T. Barbour
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Fearnside
Jeffrey C. Fereday
Melissa A. Finocchio*
Steven J. Hippler
Karl T. Klein
Debra K. Kristensen
Anne C. Kunkel

Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi
Emily A. MacMaster
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.

Kenneth L. Pursley
Bradley V. Sneed
H. Barton Thomas, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

Raymond D. Givens
RETIRED

James A. McClure
RETIRED
**Licensed In California*

November 29, 2005

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Carola Holdings Water Right Nos. 67-4174, 67-4175 and 64-4176

Dear Craig:

I write to confirm our meeting on December 15, 2005 at 9:00 am in your office and to confirm that you have granted Carola Holdings an indefinite extension of the September 16, 2005 deadline set in your letter of August 30, 2005. If my understanding is incorrect please contact me as soon as possible.

I look forward to seeing you on the 15th.

Sincerely,



Christopher H. Meyer

cc: Lea Kuvinka

CHM:kdt S:\CLIENTS\1697\5\CHM Ltr.DOC

SCANNED
DEC 02 2005

12-8-05 : No EOP in Backfile

3-24-06 : Overlap w/ lost Vally Reservoir - Give 1 day after
decree.

CONVERSATIONAL MEMORANDUM

Date: September 9, 2005

To: File 67-4174, 67-4175, 67-4176,

From: Craig L. Saxton

Subject: Evidence of priority

Brad Sneed from Givens-Pursley called and left a message regarding the request for evidence of priority letter sent to his client Carola Holdings. He requested an extension on the September 16, 2005 deadline stated in the letter we received.

I called back and told Mr. Sneed that for now, we would ignore the September 16th deadline.

I discussed the nature of the claim files, and how the beneficial use claims seemed to overlap the place of use with the claims based on Muir Vs. Allison decreed rights. One of the topics I mentioned to Mr. Sneed was that if the beneficial use claims are for flood water that directly overlaps the place of use of the decreed rights, my guidance is that we can recommend a priority date of one day after the decree without additional evidence of priority.

Mr. Sneed will be meeting with the ranch manager next week to discuss the water rights with him.

At this time we have not set a deadline of when evidence of priority needs to be submitted.

Priority Date Data Entry Form

Claim Number 67-4174

Claimed Priority Date: 5/1/1911

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1911

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

need evidence of priority - permissible POU

Reviewer: MVBDate: 07/26/05

Point of Diversion and Source Data Entry Form

Claim Number 67-4174

Claimed Point of Diversion and Source

T15N R01W S12 SWSE Within ADAMS County Source: WEISER RIVER WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T15N R01W S12 SWSE Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

~~Red Creek~~~~Mid~~ Middle Fork Weiser Weiser R.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

See GPS points on CD
Sec 12 A 0016898
Sec 14 shared w/ Alvin Yantis A 0014005

Reviewer: MVBDate: 07/26/05

Place Of Use Data Entry Form

Claim Number 67-4174

Claimed Place Of Use

T15N R01W S12	SWSE	10.0	T15N R01W S13	NENW	10.0
T15N R01W S13	NWNW	20.0	T15N R01W S14	NENE	10.0
Total Acres 50					

 Use Claimed POU as Recommended POU

Water Right Place Of Use

T15N R01W S12	SWSE	10.0	T15N R01W S13	NENW	10.0
T15N R01W S13	NWNW	20.0	T15N R01W S14	NENE	10.0
Total Acres 50					

Recommended Place of Use

 See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

215 - POU for all
Carola Holdings
rights should
be about this
per conversation
w/ Yantis.

Document how the POU was verified:

See map shape on CD

Reviewer: MVBDate: 07/26/05

Purpose of Use Data Entry Form

Claim Number 67-4174

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer:

MVB

Date:

07/26/05

Period of Use and Quantity Data Entry Form

Claim Number 67-4174

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	10/31	1	

Overall Diversion Rate 1

Overall Diversion Volume

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	5/01	10/31	1	

Overall Diversion Rate 1

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

use standard season of useSec 12 POD no FMSec 14 POD can carry 4.46 cfsReviewer: MVBDate: 07/26/05

Contacts Data Entry Form

Claim Number: 67-4174

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	ALDEN L WILSON	PO BOX 262	COUNCIL	ID	83612	
Current Owner	CAROLA HOLDINGS	C/O HENRY C PHIBBS II ESQ BOX 1082	JACKSON	WY	83001	(307)733-5004

Date of Field Exam: 07/26/05 Time: 8:45 amAccompanied By: Alvin Yantis Phone Number: _____Relationship to Claimant: rents & farms Carola land

Directions to Property (if different from above) and/or update owner information:

Reviewer: MVBDate: 07/26/05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Alden L Wilson (name of claimant)
of Box 262 Council Idaho 83412, (mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Middlefork of Weiser River, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|--------------|-----|-------------------|----------------|------|--------------|----|---------------|
| Amount | <u>1 cfs</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>May 1</u> | To | <u>Oct 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 1 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May 1, 1911
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12 Twp. 15N Rge. 10W B. M. County of Adams
 Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Diversion dam

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

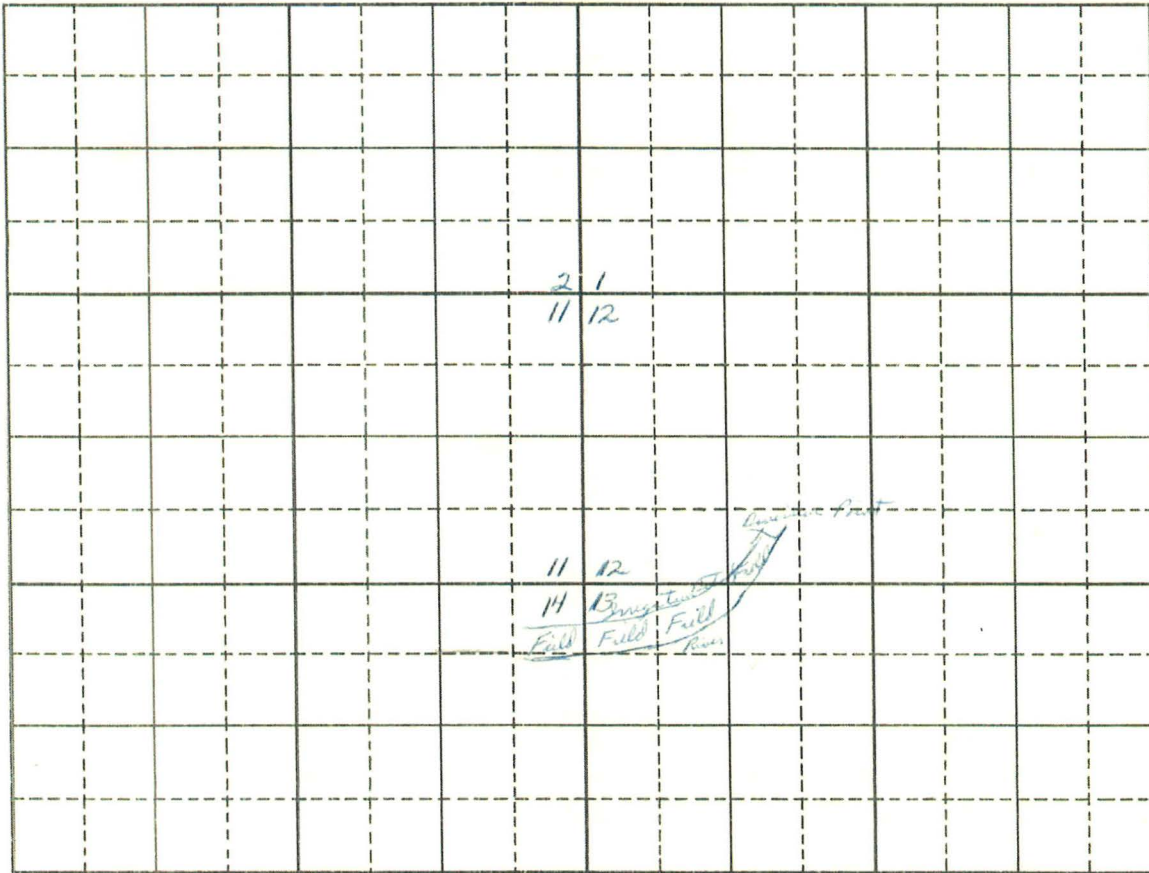
[illegible]

Total No. of acres 50

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adams) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 23 day of February, 1977

Alden L. Wilson
(Claimant)
Notary Public
Residing at Council Bluffs, Idaho

My commission expires Life Term

For Department Use Only

Received by <u>CEB</u>	Date <u>2-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CEB</u>	Date <u>2-24-77</u>		claimant by:	
\$10.00 fee received by <u>CS</u>	Date <u>Feb 24, 1977</u>			
Approved for publication by <u>CS</u>	Date <u>2-25-77</u>			
Published in <u>Adams County Leader</u>				
Dates <u>March 3, 1977 - March 10, 1977</u>				

MDS

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

Ident. Number: A67-04174
Date Received: 1/05/1990
Receipt No: C013847
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROLA HOLDINGS 307-733-5004
Address: C/O HENRY C. PHIBBS
BOX 1082
JACKSON, WY 83001

2. Date of Priority: MAY 01, 1911

3. Source: WEISER RIVER, MIDDLE FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	12	SW	SE			ADAMS

5. Description of diverting works:
DIVERSION DAM WITH HEAD GATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	1.000		

7. Total Quantity Appropriated is:
1.000 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
15N	01W	12	SW	SE		IRR	10.0

SCANNED
APR 08 2004

A67-04174

Page 1

Date: 08/22/90

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
		13	NE	NW	IRR	10.0
			NW	NW	IRR	20.0
					Section Acres	30.0
		14	NE	NE	IRR	10.0
					Section Acres	10.0
					Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

67-00080A, 67-00081H, 67-00087, 67-00088, 67-00089,

14. Remarks:

OTHER RIGHTS (CONT.): 67-00090, 67-00093, 67-04175, 67-04176.

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): _____ Date: _____
 _____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Ident. Number 67-04174

Date Received

Receipt Number C 013847

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 5 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Carola Holdings c/o Henry C. Phibbs Phone (307) 733-5004

Mailing Address Box 1082, Jackson, Wyomin Zip 83001

2. Date of Priority (Only one (1) per claim) May 1, 1991

3. Source of water supply (a) Middle Fork of Weiser River
which is tributary to (b) Weiser River

4. a. Location of existing point of diversion is: Township 15N Range 1W Section 12,
1/4 of SW 1/4 of SE 1/4, Govt. Lot, B.M., County of Adams

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. diversion dam with head gates

MICROFILMED

OCT 02 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from May 1 to Oct. 31 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15N	1W	12															10		10
		13					10	20											30
		14	10																10

Total number of acres irrigated 50

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
67-00080A, 67-00081H, 67-00087, 67-00088, 67-00089, 67-00090, 67-00093, 67-04175, 67-04176 or None ()

14. Remarks:

MICROFILMED

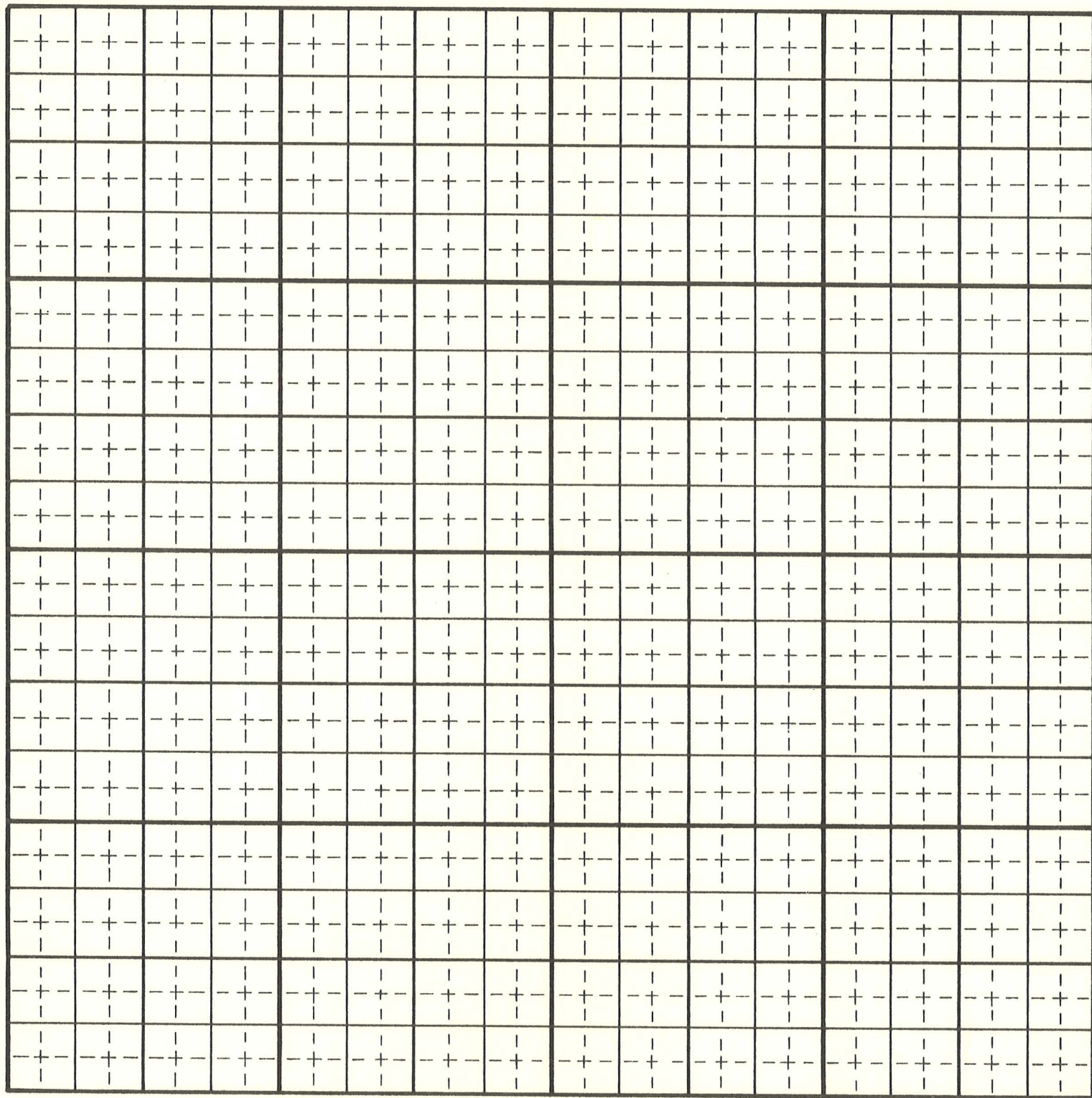
OCT 02 1992

Last Name Carola Holdings Ident No. 67-04174

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

OCT 02 1992

Last Name Carola Holdings Ident No. 67-04174

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

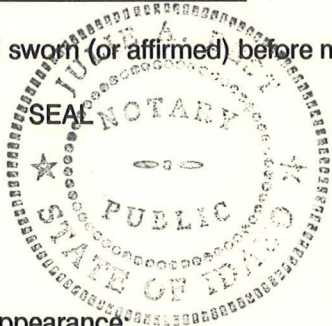
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Attorney-in-Fact
Title
of _____ Carola Holdings _____, that I have signed the foregoing
Organization
document in the space below as _____ Attorney-in-Fact of _____ Carola Holdings
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James D. Hansen
Title and Organization Attorney-in-Fact of Carola Holdings Date 1-5-90

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of January 19 90



Notary Public Julie Best

Residing at Boise, Idaho

My Commission Expires 4-21-95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, James D. Hansen will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature James D. Hansen

Address 277 N. 6th St., P.O. Box 2720, Boise, Idaho 83701

Date 1-5-90

MICROFILMED
OCT 02 1992

Last Name Carola Holdings Ident. Number 67-04174

Copies White-State, Yellow-Claimant

CLAIMANT'S NAME Carola Holdings CLAIM IDENT. NO. 467-04174
 DATE RECEIVED 1-5-90 ^{Rec'd} ~~ck~~ # 2013847 AMOUNT \$ 1510.00
 1. Is the name and address complete with zip code? 12 claims YES ☒ NO ☐ Required Info? ☐ *
 2. Is a priority date entered? ☒ YES ☐ NO ☐ *
 Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
 See Adjudication Memos #1 and #4 to determine if a Permit is required. enter 1991 comment
 3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
 (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ *
 4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
 5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
 Is the period of use included? ☒ YES ☐ NO ☐ *
 Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
 7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
 8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ *
 Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ *
 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO ☐ *
 10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
 11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
 12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
 13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ *
 15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ *
 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐ YES ☐ NO ☐ *
 18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
 19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
 20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
 21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ *
 22. Should this claim be data entered? ☐ YES ☐ NO ☐ *

Claim checked by: _____ Date: _____
 Claim must be returned to claimant: (Yes) ☐ / (No) ☐
 Claimant must be notified of modifications: ☒ (Yes) ☐ / (No) ☐

Receipt Prepared by: _____ Date: _____
 Claim data entered by: mds Date: 8/22/90 Checked by: MDT Date: 11-9-90
 Sent to claimant by: _____ Date: _____

Comments: 50% MICROFILMED

OCT 02 1992

Priority date entered as "1991", statutory claim lists "1911".
enter 1911, send mod. letter



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date: 4/10/91

CAROLA HOLDINGS
C/O HENRY C PHIBBS
BOX 1082
JACKSON WY 83001

RE: Notice of Claim #A 67-04174 in the Snake River Basin
Adjudication
County of Adams

Dear Claimant:

We are forwarding to you a data entered copy of the claim you filed in the Snake River Basin Adjudication.

We have interpreted the data from this claim in the process of data entry in a manner which we feel more accurately reflects the true status of this water right. The items that were modified are highlighted. Please review the enclosed claim to assure that these modifications are in this water right.

If you believe our data is incorrect, and you wish to make any changes to this Notice of Claim, initial the changes, sign the form, have your signature notarized, and return it to this office within 30 days. If you believe the modifications are correct please retain this copy of your claim for your records.

Please feel free to contact this office if you have any questions.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:AB;CF;SWK;BHS(RM)

Enclosures:

Claim No. A67-04174

MICROFILMED

OCT 02 1992