

Law Offices of
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~via email~

Idaho Department of Water Resources
c/o Jonie Barg
900 N Skyline, Ste A
Idaho Falls, ID 83402

Re: Water Right No. 35-7045
B&H Matter No. 9670

Dear Ms. Barg:

Last week we submitted an inquiry regarding Water Right No. 35-7045. According to our records, the original license and decree for Water Right No. 35-7045 was for 156 acres.

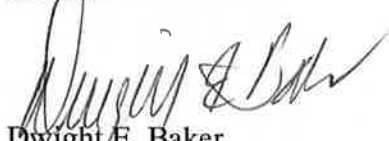
Last year the Arlon Hibbert family sold 155 acres of their farm, together with the water right for 155 acres, intending to retain 1 acre of land and water right appurtenant to one acre to add to their homestead.

Our files reflect that we had filed a Notice of Change of Water Ownership, seeking to split the original water right, with the result that the Driscolls would own 155 acres of the water right, and the Hibberts would retain 1 acre of the water right. We have received documentation which indicates that the Driscolls' Water Right No. 35-7045 for 155 acres has been established; our question is whether or not IDWR records reflect documentation showing the Hibberts have retained the other 1 acre water right, and that it is appurtenant to their retained property.

We would greatly appreciate any clarification as to this narrow issue that you can provide.

Very truly yours,

BAKER & HARRIS



Dwight E. Baker

DEB/jm
Enclosures

cc: Mike and Joyce Driscoll