

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 6, 2008

Kelly Christensen
IDWR Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

RECEIVED
FEB 08 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Application for Transfer of Water Rights 36-2443, 36-7267- Duane and
Laura Grant.

Dear Mr. Christensen,

Attached is an affidavit describing the irrigation practices in T.08S R.22E
Sec.36 N ½, signed by Mr. Alan Klosterman. We have submitted this
affidavit as proof that the property described in the document was in fact
irrigated, and so that processing water right transfer # 74404 by IDWR may
continue. Chuck Jr. and I will follow up this letter with a phone call to you in
the very near future so that we may discuss any further concerns you may
have regarding water right transfer # 74404. Please continue to copy our
office on all correspondence dealing with water right transfer #74404. Thanks
for your time and have a great day.

Regards,

Zach Latham, Hydrologist

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Attachments: (1) Affidavit Document.

Cc: Duane Grant
Carl Bailey

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

IN THE MATTER OF WATER USE
ON THE PROPERTY AND WATER RIGHT 36-2443
OWNED BY CARL AND STEPHANIE BAILEY,
LOCATED IN T.08S. R.22E SEC.36, N ½ B.M. MINIDOKA
COUNTY, IDAHO.

FEB 08 2008

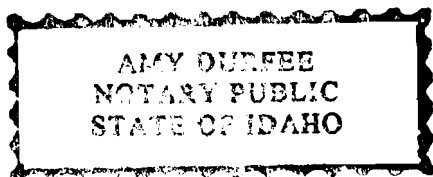
COMES NOW, ALAN KLOSTERMAN, and provides the following comments and evidence in this matter:

1. I leased the 305 acre property from 2004 to 2005 that was previously owned by Larry K. Tominaga, presently owned by Stephanie and Carl Bailey, that is located in Township 08S, Range 22E, Sec.36, N ½, Minidoka County, ID, as described by Minidoka County parcel number RP8S22E360000.
2. I oversaw the irrigation of the 305 acres of ground authorized to be irrigated under ground water right 36-2443. The 305 acre place of use authorized to be irrigated as described under ground water right 36-2443 was irrigated by wheel lines, a linear system, and some handlines that ran over, covered and sprinkled the entire 305 acres for the duration of the 2004 and 2005 irrigation seasons. No portion of the above referenced 305 acres were excluded from being sprinkled with water by the linear system, the wheel lines, or the handlines during the 2004 and 2005 irrigation seasons.

DATED this 5th day of Feb., 2008.

Alan Klost

SUBSCRIBED and SWORN to before me this 5th day of February 2008.



ne this 5th day of February 2008
Amy Lunge
 NOTARY PUBLIC

Residing at : Munidoka

My Commission Expires: 1-04-2014