

Roda, Evan

From: dylan@hedden-nicely.com
Sent: Saturday, May 10, 2025 7:37 AM
To: Roda, Evan
Cc: 'Lorraine Parlange'; 'Scott Mannakee'; 'Ray Entz'
Subject: RE: CFPRBA Claim nos. 97-7541 & 97-7544

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Good morning, Evan. I'd also like to direct you to the affidavit filed along with claim no. 97-4011, which attests personal knowledge that irrigation was taking place on the Harry Drake Ranch as early as 1925. I believe 97-7541 and 97-7544 were also part of that ranch, making that affidavit applicable to our claims as well. Thank you.

From: dylan@hedden-nicely.com <dylan@hedden-nicely.com>
Sent: Thursday, May 1, 2025 4:38 PM
To: 'Roda, Evan' <Evan.Roda@idwr.idaho.gov>
Cc: 'Lorraine Parlange' <lparlange@kalispeltribe.com>; 'Scott Mannakee' <SMannakee@kalispeltribe.com>; 'Ray Entz' <rentz@kalispeltribe.com>
Subject: RE: CFPRBA Claim nos. 97-7541 & 97-7544

Hi Evan

Thanks so much for bearing with me as I worked through the issues below with our staff. I'll response to your inquiries one at a time:

97-7541 –

- **Priority date:** We had our tribal GIS work with the Tribe's Director of Wildlife and Terrestrial Resources to identify where on the 1932 air photo there is evidence of cultivation. The results of that analysis are attached. Those results show that—on the day this photo was taken—the farmers had begun to hay a portion of 97-7541. In addition, there is evidence of further haying activity taking place throughout the subject property. As you know, haying in 1932 was an incredibly time-consuming process depending on the machinery the farmers had at their disposal. Furthermore, this air photo represents a snapshot in time, showing the progress made on the date the photo was taken. From this we argue that (1) the landowners were actually cultivating not only in the POUs for 97-7541 and 97-7544 during this time period but *throughout* the subject property; (2) this photo demonstrates that cultivation was actually occurring in the POU for 97-7541; and (3) it appears that on the day this photo was taken, they were working their way further into the POU for 97-7541. Given these factors, we respectfully ask you to reconsider our request for IDWR to recommend a priority date of 1932.
- **Field Exam:** I have learned from Ray Entz (the manager of this property) that the Tribe was unable to secure a hay lease this year for this property. As a result, the Tribe does not currently plan to use its irrigation system this year. Having said that, Ray has indicated that he would be happy to