



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 1999

Arlin Olson
Watermaster #29
PO Box 644
Lava Hot Springs ID 83246

Mr. Olson:

Based on your inquiry I have researched claim #A29-10278 in the name of Michael or Eileen Chambers. This involves portions of four decreed "Indian Rights" with a July 6, 1868 priority. Those four decrees are numbered 29-00234, 29-00238, 29-00239 and 29-00240.

Starting with decree 29-00238 please note in the remarks of claim A29-00238 that the Shoshone Bannock Tribes have this right via the Fort Hall Indian Water Rights Agreement of 1990. This decree is also claimed by CV Cattle Company under claim A29-10320. This right should only be delivered for use to the SENW and SWNE SEC 36 T06S R38E to irrigate 86.67 acres of Tribal ground. (see attached page 34 of the Ft Hall Indian Water Rights Agreement).

Decree #29-00234 is appurtenant to the NWNE and NENW of SEC 36 T06S R38E. This ground appears to be owned or operated by Jim Andrus and is so claimed under claim A29-10331 (enclosed copy). The Caribou County assessor confirms this in Andrus' ground.

Decree 29-00239 appears to be appurtenant to either Indian ground or ground owned by CV Cattle Company and indeed is claimed by CV Cattle under claim A29-10320.

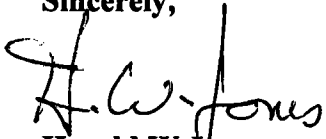
Decree 29-00240 is appurtenant to the SESW and SWSE SEC 36 T06S R38E. This ground is owned by CV Cattle Company.

In final review, none of these original decrees are on ground owned by Michael or Eileen Chambers. Decree 29-00238 is already in Tribal hands and all the other decrees are claimed by owners of the original place of use.

Page 2
Arlin Olson

You should therefore stop any delivery of 1868 water to the Chambers/Caldwell point of diversion for use on the Chambers property until evidence is provided of ownership of those listed decrees.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. W. Jones". The signature is fluid and cursive, with the first name "H." and last name "Jones" clearly distinguishable.

Harold W Jones
Water Right Supervisor

cc: Jared Caldwell
Steve Hebdon