



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

RECEIVED

JUN 30 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2005

McFarland Livestock Co., Inc.
C/o Tex Kauer
P.O. Box 50
Lemhi, ID 83465

Re: Transfer Application 72000, McFarland Livestock

Dear Mr. Kauer,

I am currently processing your transfer application and feel that I need to update you of the disposition so that you may help shape its outcome.

1. The Snake River Basin Adjudication (SRBA) has made favorable recommendations on water rights 74-11, 74-12, 74-16, 74-29, and 74-30 although for slightly less acres than what was claimed.
2. The SRBA recommended that claim A74-15049 be disallowed (or judged invalid).
3. The transfer shape for the pivot irrigation system shows a configuration of 551 acres. The water rights, as they are now recommended, will only total 521.7 acres.
4. The Place of use map by Brockway Engineering shows where the 551 acres were to be located. My shapes made for the same location show an area of nearly 600 acres.

I feel that you need to know this information. I do not know if you are aware of what has been recommended or not or if you may disagree with the recommendations. What is important to me is what is left to work with for the transfer. If you agree with the recommendations, please let me know. Then, with your help, we can decide where to allocate the 521.7 acres of water right.

If you disagree with the recommendation and intend to pursue in SRBA proceedings, then we should wait on the transfer until the water right dispositions have been finalized. For your convenience, I have included copies of the SRBA recommendations on all water rights that were included with the transfer.

Please let me know if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Roger Warner". The signature is fluid and cursive, with the first name "W." being more prominent.

W. Roger Warner

Water Right Supervisor – Eastern Region

Enclosures: Water Right Recommendation Proof Reports for Water Rights 74-11, 74-12, 74-16, 74-29, 74-30, and A74-15049.

CC: Roxanne Brown
Bob Foster
Jeff Rau – Brockway Engineering