



State of Idaho

DEPARTMENT OF WATER RESOURCES

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JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 7, 2006

CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62 BOX 2295
MAY ID 83253

RE: Snake River Basin Adjudication (SRBA)
Preliminary Recommendations #73-217 and 73-10065

Dear Mr. Yates:

Thanks for your feedback through the Notice of Error (NOE) reply forms. I did look at an older photo supplied with your claim and could revise the recommendation for rights 73-217 and 73-10065 to the 397 acres you claimed shown on the enclosures.

Your notes on nearly every NOE communicated to me you wanted the pivots and flood-irrigated ground in the present location described as the Place of Use (POU). The Adjudication laws allowed unrecorded changes (transfers) until 1987. You will have to file an Application for Transfer to change the Place of Use from the 1987 recommendation to where you moved after 1987 and are using the water now.

I have also enclosed a copy of revised recommendation 73-2037 previously shown disallowed in favor of an earlier decreed right.

The director's reports you will receive in the next couple of weeks will reflect the historic POU of the water through at least 1987. You may certainly file transfer applications to catch up to the present practice preferably after the decrees are issued as early as before the middle of 2008. The objection period following the director's report later this month will run nearly to the end of 2007. Partial decrees on uncontested water rights are not issued until after the objection period ends.

We look forward to working with you further to keep your water rights recorded to match the water use on each of your properties.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:state
Enclosures