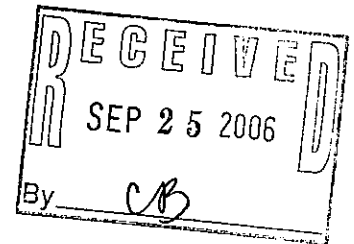


September 20, 2006

State of Idaho
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83707-9815

Attn: Karl J. Dreher-Director

Reference: Water Right Request # 24-2000B
Robinson Family LTD Partnership



Dear Mr. Dreher:

In response to your preliminary recommendation that our Water Right, Request # 24-2000B, be disallowed, **I disagree** with your recommendation and ask that **our request be changed to Approved.** I submit the following information for your consideration:

- To help you better understand the importance our family has placed on the right to use water from Tincup Creek, my grandfather applied for and was granted Water License No. 551 for irrigation and domestic purposes back in 1904. It was used continuously for at least 80 years even though one neighbor illegally filled in the ditch that brought the water to our property. At that time another neighbor allowed my father to dig a temporary ditch through his property so we could continue to get the water we needed. This source was used for many years. All of this prompted my father, in 1966, to obtain the necessary easement and pay for the construction of a 3 phase power line to our water right location on Tincup Creek where the stream comes onto our property. This was done with the intention of installing a permanent sprinkling system at some later date. In addition, my father sprinkled for a few years pumping water with the tractor and a portable pump. Unfortunately he is deceased and cannot supply the dates.

However, you must understand that over all these years there was never any indication from the Idaho Department of Water Resources that our water right was in question. In 1989, I discovered water rights were being adjudicated. At that time I filed for and paid for the adjudication of our water right. This fee was accepted and I heard no further word from the Department. This caused me to believe our water right had been favorably adjudicated and therefore resolved. It was not until last fall, 2005, when a neighbor brought Mr. Bryce Cantour from Idaho Falls who was in the area reviewing water rights that I had any indication that our water right was still being challenged. In the short time period since then, I feel I have done everything that I could positively do to demonstrate our sincere desire to maintain our water right.

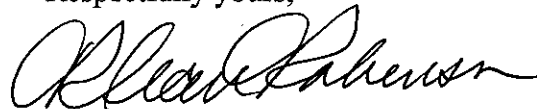
- One of the first things I did last fall, 2005, was to obtain an estimate from Rain For Rent in Idaho Falls, Idaho as to the cost of a complete irrigation system including the installation of an underground main line, pump and wheel lines.
- I then began gathering information and sending it to Cindy Bird in the Soda Springs office. This was made most difficult because my father and other old timers had passed away and taken their personal witness with them. Early in 2006 I learned that there was a federal government service available through the NRCS

office in Soda Springs, Idaho. I immediately called and talked to Mr. Cameron Williams. He came right over and suggested a possible design for our system. However, his report was not available until June 29, 2006.

- At this point, I felt I needed some professional advice as to how to proceed so I contacted water rights attorney, Kent W. Foster of Idaho Falls, Idaho and he in consultation with Nick Spencer, one of the Deputy Attorneys General for the Department of Water Resources (IDWR) in Boise, recommended that in order to have our request approved, **we must resume use of our water right immediately for beneficial purposes**. I received this vital information on July 21, 2006
- I am happy to report that I have followed their recommendation and during the Month of September 2006, we have installed a \$100,000 first class irrigation system on the ranch. I submit the following as evidence of this installation.
 1. A letter from Lower Valley Energy Company showing the estimated cost of the three phase ½ mile power line my father had constructed in 1966, with proper easement approval, in anticipation of an electric pump being installed for future irrigation purposes at \$34,760.81.
 2. Letter from Lower Valley Energy showing we paid a monthly fee since January 2, 1996 to keep the company from retiring the 6 spans of three-phase 7200 volt distribution line to the pump site.
 3. Contract paid in full to Lower Valley Energy for the placement of the proper transformers for a 50 HP pump, setting the meter and heating up the line.
 4. A copy of the contract for \$47,037.50 paid in full from Rain For Rent in Idaho Falls, Idaho for the installation of the complete irrigation system. The invoice is self explanatory.
 5. A page of pictures in color showing the ½ mile trench, pipe in the trench, the power pole with transformers and pump control panel, the pump, the water source (Tincup) and showing the wheel lines in full operation.
 6. Cindy Bird, Senior Water Agent from Soda Springs, Idaho has personally visited the project and can verify that the system has been installed and is functioning. She has also placed a metal Department of Idaho Water Resources identification marker on the sump structure.

It is my hope that after you consider all the above, you will quickly see that I have done everything within my power to **justify your approval of our request and that you will recommend approval of our water right to the District Court.**

Respectfully yours,



R. Dean Robinson
Authorized Ranch Manager
Robinson Family Limited Partnership