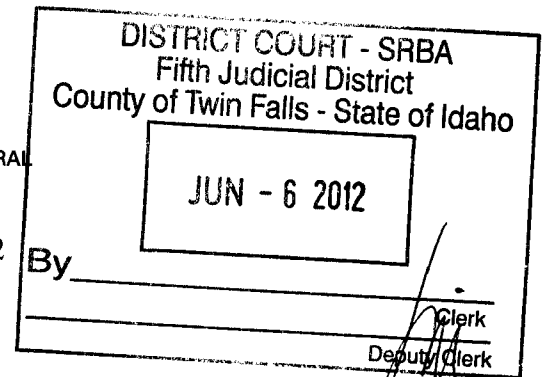




STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

June 5, 2012



Diana Delaney
Case Administrator
Snake River Basin Adjudication
P.O. Box 2720
Twin Falls, ID 83303-2707

RE: Amended Notice of Completed Administrative Proceeding for Water Rights 74-42, 74-66, 74-67, 74-110, 74-111, 74-2329, 74-7006 and 74-7148

Dear Diana:

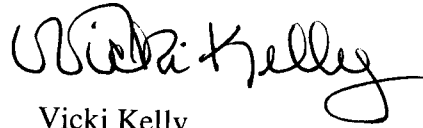
Enclosed is an Amended Notice of Completed Administrative Proceeding (ANCAP) for Ellsworth Angus Ranch (Ellsworth) water rights 74-42, 74-66, 74-67, 74-110, 74-2329, 74-7006 and 74-7148. These rights were all identified as uncontested overlaps to high flow water rights, 74-15183 and 74-15190, also claimed by Ellsworth. As you no doubt recall, all Lemhi high flow claims, including 74-15183 and 74-15190, were disallowed in proceedings conducted under the high flow lead subcase, 74-15051. Because the Notice of Completed Administrative Proceeding (NCAP) on Ellsworth transfer no. 74356 (filed on March 28, 2010), referenced now disallowed rights 74-15183 and 74-15190, the Idaho Department of Water Resources (IDWR) felt it necessary to review and assess the impact of that disallowal on the uncontested rights.

In looking at the uncontested Ellsworth rights, IDWR discovered the 2010 NCAP did not adequately describe the intent of the transfer. Combined use conditions that should have connected rights 74-42, 74-66 and 74-67 were not consistently described in the NCAP. IDWR also found combined use conditions that should have connected rights 74-2329, 74-7006 and 74-7149 were not consistently described on these rights as well.

The enclosed ANCAP reflects the modifications intended by the transfer to the combined use conditions for rights 74-42, 74-66 and 74-67 as well as rights 74-2329, 74-7006 and 74-7149. In addition, the ANCAP also modifies conditions of all the overlapping rights to reflect the disallowal of high flow right 74-15183. Disallowed high flow right 74-15190 also overlapped the uncontested Ellsworth rights, however the right was never listed on the uncontested recommendations and did not need to be removed.

Please don't hesitate to call me at 208-287-4816 should you have any questions. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Kelly". The signature is fluid and cursive, with the first name "Vicki" and last name "Kelly" clearly distinguishable.

Vicki Kelly,
Paralegal

Enc.

cc: Ellsworth Angus Ranch
Clive Strong
U.S. Dept. of Justice