

January 17, 2012

Whiskey Creek Ranch, LLC
c/o Nathan Hale
427 Rice Hope Drive
Mt. Pleasant, SC 29464

RE: Refund of 2007 Ownership Change Filing Fee

Dear Mr. Hale:

In May 2007, you filed a Notice of Change in Water Right Ownership ("ownership change") for nine water rights in the Whiskey Creek / Trout Creek area (13-687A, 13-687B, 13-688, 13-697A, 13-697B, 13-698, 13-728, 13-729, and 13-761). Included with the ownership change was a filing fee of \$225. At the time, most of the ownership changes filed in the Bear River basin were not being completed due to ambiguities the historic decrees in the basin. Your ownership change was never completed.

In January 2011, Randy Budge, on behalf of Whiskey Creek Ranch, filed Transfer 77048, seeking to update the place of use and points of diversion for your water rights in the Whiskey Creek area. The transfer application also asked the department to update the ownership of the rights, listing Whiskey Creek Ranch, LLC as the current owner. The ownership changes were included in the transfer filing fee. As you are aware, Transfer 77048 was recently approved. The water right records for 13-687A, 13-688, 13-697A, 13-698, 13-728, 13-729, and 13-761 were updated to list Whiskey Creek Ranch as the current owner. The Transfer also updated the ownership for rights 13-699A, 13-700, 13-701, and 13-4004.

Rights 13-687B and 13-697B are in the name of Whiskey Creek Water Users Association, Inc. and were not included in Transfer 77048. These two water rights should likely remain in the name of the culinary Water Users Association. There were no deeds included with the ownership change showing that the rights had been sold to Whiskey Creek Ranch. It appears that these two rights were included in the 2007 ownership change in error. Because the ownership changes were accomplished in the transfer process, we are refunding your 2007 ownership change filing fee (\$225). A check from the state of Idaho should arrive within a couple of weeks. Please contact me if you have any questions.

Sincerely,

James Cefalo

Cc: Randy Budge, Racine Olson Nye Budge & Bailey