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July 19, 2013

RECEIVED

JUL 22 2013

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Attn: Blake Jordan
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Application for Transfer of Water Rights Nos. 35-7280, 35-7281, and 35-13241.

Dear Blake:

Enclosed for processing is a completed *Application for Transfer* regarding the above referenced water rights. We represent Karl, Molly, Jeff, and Jenny Cook. I want to draw a couple of items to your attention.

First, the transfer merely proposes a rearrangement of the place of use shapefile to better accommodate pivots that were installed on the property after 1987. In addition, the Cooks intend to install a mini-pivot in the middle of all four pivots, and this proposed transfer provides for that mini-pivot.

In addition, the water rights are currently still in the name of Lois and Linden Butikofer on the records of the Idaho Department of Water Resources. At attachment 2a of the transfer, we have completed two *Notices of Change in Water Right Ownership*. The property was originally owned by the Butikoferes, who then sold to Foster Land & Cattle, who then sold 480 acres of the property to Jeffrey and Jenny Cook, and 160 acres of the property to Karl and Molly Cook. We request that the ownership split be done after the transfer is approved. When this is done, we have provided the split analysis allocating the water rights to the owners. We have included the filing fee of \$300.00 to cover the ownership changes.

Because this is merely a rearrangement of the place of use, we performed a change in acres analysis to show that we are shifting a total of 38 acres. At .02 cfs per acre, this equates to .76 cfs, and based on the Department's fee schedule, this correlates to a filing fee of \$500.00. As you know, we have historically based our filing fee on this analysis for place of use transfers, but if for some reason this is no longer acceptable, please let us know.

Lastly, we will be happy to email you the GIS shapefile for the new place of use which

Blake Jordan
July 19, 2013
Page 2 of 2

we have prepared that is depicted on the maps enclosed with the transfer. Simply send us an email when you are ready to review that shapefile and we will email it to you.

We appreciate your attention to this matter. Please let us know if you have any questions or concerns.

Best Regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures