

RECEIVED

DEC 13 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 13, 2012

Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Transfer 77712

Dear Mr. Merritt:

It is the desire of the applicants of transfer 77712 to petition for reconsideration of transfer 77712 concerning the following issues.

Water rights 45-2383, 45-7118, 45-7125 and 45-7317 were included in water right transfer 70414. With the approval of transfer 70414, a condition limited the diversion of water from a well in Township 11 South Range 24 East Section 30 NENESE to 4.0 cfs. The combined diversion limit for 45-2383, 45-7118, 45-7125 and 45-7317 is 20.51 cfs. We would like the limit of 4.0 cfs to only be applied to water rights 45-2383, 45-7118, 45-7125 and 45-7317 and not the other water rights included in Transfer 77712.

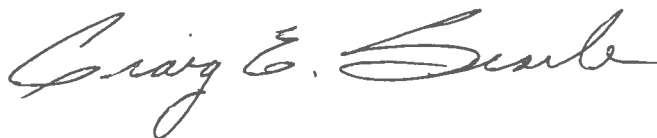
The ownership change and split of water rights in transfer 77712 need to be adjusted and clarified to depict the allowed acres under 45-14415, 45-14417, 45-14416, 45-14418, 45-13981 and 45-13982.

The applicant would also like to petition for reconsideration regarding the place of use, permissible place of use, the diversion rate, the POD locations, the volumes allowed and all other aspects of transfer 77712.

Please copy our office on all correspondence regarding this application.

Sincerely,

Craig Searle



PROPERTY AGREEMENT

This AGREEMENT is entered into, by and between, Clifford Searle, Cloyd Searle and MVCP regarding the split of water rights 45-13981 and 45-13982 by Transfer 77712.

I understand and agree to the split of water right 45-13981 and 45-13982 as shown in Exhibit A that is attached to this agreement.

Exhibit A indicates the following:

Clifford Searle will retain 27.0 acres as 45-14415 and 13.0 acres as 45-14417.

Cloyd Searle will retain 27.7 acres as 45-14416 and 13.3 acres as 45-14418.

MVCP will retain 191.9 acres as 45-13981 and 92.1 acres as 45-13982.

Clifford Searle

Date

Cloyd Searle

Date

MVCP Representative

Date

Print Name