



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

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October 17, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Idaho Properties LLC
23539 365th Avenue
Kimball, SD 57355

RE: Notice of Change in Water Right Ownership for Idaho Properties LLC

Dear Water User:

In February 2011, you filed a Notice of Change in Water Right Ownership ("ownership change") for three ground water rights (31-7273, 31-10132, and 31-10128). As part of your ownership change, you provided copies of certain deeds. Unfortunately, the deeds did not cover the property associated with the three water rights. In reviewing the files for your other water rights, however, we discovered a grant deed that covered the property associated with rights 31-10132 and 31-10128. Therefore, we were able to update the ownership of these two rights. Updated water right reports for these two rights are included with this letter.

We were not able to find any deed that covered the property associated with water right 31-7273. This right is located in the SESW of Section 11, T11N, R39E. Fremont County identifies the specific parcel as RP11N39E113600. We cannot complete the ownership change for 31-7273 until a deed is provided showing ownership of the parcel.

During our review of your deeds and water rights, we discovered another stockwater right appurtenant to your property that was still in the name of Ben Jernberg (31-10527). This right is for ground water and is located in the SESW of Section 15, T07N, R37E. The property is covered by a July 2005 Grant Deed from Jernberg to Idaho Properties (Instrument No. 051113). Because you paid for three ownership changes (\$75), we decided to go ahead and update the ownership on water right 31-10527. A water right report for this right is enclosed.

To summarize, you filed an ownership change for three water rights and paid the appropriate fee (3 x \$25 = \$75). We were only able to complete the ownership change on two of the rights identified in your ownership change, 31-10132, and 31-10128. However, we discovered an additional right, 31-10527, that needed to be updated. We cannot complete the ownership change for right 31-7273 until a deed is provided covering the SESW of Sec. 11, T11N, R39E. When you are able to locate the proper deed, please file a new ownership change listing right 31-7273 and include a \$25 filing fee. Please contact me if you have any questions.

Sincerely,

James Cefalo

Water Resources Program Manager
(208) 525-7161