



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 31, 2008

Schenk Land and Cattle L. P.
1380 S 50 W
Oakley, ID 83346

RE: Transfer No.66569

Gentlemen:

As you may recall last March 20th I met with Mr. & Mrs. Schenk regarding amendment of the old transfer referenced above. The transfer was initially filed by Elquist Ranches, Inc. but has been formally assigned to Schenk Land and Cattle L.P.. earlier this year. During the meeting in March an amendment of the transfer application was roughed out but was not finalized. To finalize the amendment it was outlined that:

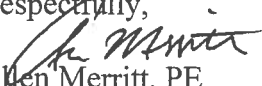
- The apparent place of use on other parties lands needs to be documented by agreement.
- The location of the wells to be used or any future well needs to be finalized.
- The formal amendment of the transfer needs to be filed.

Since March I have called and left messages inquiring about any progress toward completion of the amendment of the transfer but I have not received a response. I am writing this letter to inquire about the intentions regarding this matter. Please note that it is expected that the watermaster of WD140 will be reviewing aerial photographs of irrigated lands in the district this year and comparing the irrigated lands against authorized places of use for the water rights. It is expected that without the amendment of the transfer it will be found that the land you are irrigating will be found to be out of compliance. I urge you to address this matter as soon as possible.

Please respond to this letter within 30 days as to the status of this transfer application. Failure to respond will provide sufficient cause to reject the application.

If you have questions please feel free to contact this office.

Respectfully,


Allen Merritt, PE
Southern Region Manager

CC: Cindy Yenter, Watermaster WD140
Tim Luke, Jeff Peppersack IDWR State Office