

September 1, 2004

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

Re: ICROA Transfer & Claim

Dear Allen:

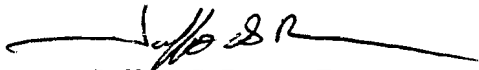
Enclosed are transfer and claim documents prepared by our office on behalf of Indian Creek Ranch Owners Association (ICROA). The supporting narrative outlines the need for the adjudication claim and supporting transfer. The transfer will create a permissible place of use of the subdivision property which will allow the association to utilize their right for irrigation of individual lots and/or common areas owned by the association.

This right (37-296B) was subject to a transfer in 1996 which gave the association 35 acres of irrigation. However, a forfeiture determination on the acres not being irrigated in 1996 was never made by the department. The forfeiture statute was tolled at the filing of the adjudication claim and we have found that more acres were irrigated in the 5 year period prior to the tolling of the forfeiture. The claim attached with this submittal is for the acres above the 35 already under 37-296B and the additional acres should be recommended in the adjudication based on the tolling of the forfeiture. Based on our analysis of the fee schedule, the fees associated with this claim are \$126.00.

The transfer submitted with this letter will create the PPU and allow for the association to irrigate up to 111.2 acres within the PPU which makes up most of the irrigable land in the subdivision. The fees associated with this transfer amount to \$410.00. A check in the amount of \$536.00 is included with this submittal.

We have also included a signed Power of Attorney form which will allow our firm to act on behalf of ICROA in the transfer and claim process. Please review the documents enclosed and contact our office if you have any questions or concerns. Thank you and have a great day.

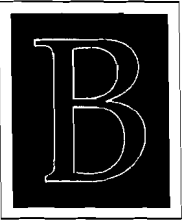
Sincerely,



Jeffrey S. Rau, P.E.

Attachment: ICROA Transfer & Documentation
ICROA Claim & Documentation
ICROA Check #4285 - \$536.00
Power of Attorney Form

Cc: ICROA – Dennis Kavanagh



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P.L.L.C.

Hydraulics

Hydrology

Water Resources

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SEP 28 2004

Department of Water Resources
Southern Region

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