



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2005

DARREL AGENBROAD
27161 DAIRY RD
GRANDVIEW ID 83624

Re: Applications for Transfer of Water Right Nos. 2-7279A and 57-2239

Dear Applicant:

You recently filed two Applications for Transfer to change the above referenced water rights. Processing of both applications must be delayed as explained below.

Processing of the application for right no. 57-2239 would be expected because that right was already decreed in the Snake River Basin Adjudication (SRBA). However, processing of the application for right no. 2-7279A presents complications for both applications.

The application for right no. 2-7279A describes a water right for which a SRBA Claim has been filed. Additional Snake River claims appear to be related to your proposals in some way (Claim nos. 2-7168A in your name and 2-7168C in the name of Agenbroad Grand View Family Trust). SRBA Claims based on Snake River uses are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over. This is particularly true in this case where current and proposed places of use appear to affect right nos. 57-2239, 2-7168A, 2-7168C and 2-7279A. All but right no. 57-2239 are pending in the SRBA. It is not possible to resolve transfer processing questions about those records until the SRBA objection period for Snake River rights has been completed.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

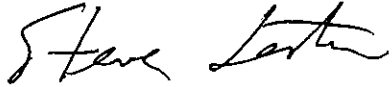
The SRBA objection period for the area in question is expected to conclude sometime during the latter half of next year if not earlier. Based on that schedule and the above reasoning, the applications cannot be processed at this time. IDWR will hold the applications and will notify you

Darrel Agenbroad
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at the appropriate time for processing to resume.

IDWR regrets the inconvenience undoubtedly caused by this necessary delay. Please contact me at 208-334-2190 if you have any questions in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" and last name "Lester" clearly distinguishable.

Steve Lester
Water Rights Supervisor