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April 3, 2007

VIA E-MAIL - Corey.Skinner@idwr.idaho.gov
ORIGINAL WILL NOT FOLLOW

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301

Re: Barrie Family Partners/Water Rights - Transfer fo 37-332
Our File No. 750/010067

Dear Cory:

This will confirm our phone conversation earlier today. You have raised two points in your March 21, 2007 letter to me. First, you indicate water right 37-33 owner by the Kammer Trust shares the same current point of diversion. However, we both agree that diversion is "high and dry" and can no longer serve either water right which is the real reason for our transfer application. Since the Kammers are in the same situation I do not see any possible injury to their water right by this transfer request.

Second, we understand a large portion of the diversion rate for our water right as recommended in the SRBA (50 inches) covers ditch loss in the current delivery system and that this loss will be eliminated by the new point of diversion. Therefore, a reduction of the diversion rate to the accepted standard of one inch per acre for the irrigation of the 8.3 acres on my client's property is acceptable.

Please review this information with the State office and let me know what the next step will be in processing this application. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation



James P. Speck

JPS/j

cc: client