



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 15, 2006

DBSI LAKE LOWELL 160 LLC
1550 S TECH LN
MERIDIAN ID 83642

RE: Notice of Change in Water Right Ownership Submitted February 16, 2006
and SRBA Claim No. 63-00021

Gentlemen:

We are in the process of reviewing Notice of Claim to a Water Right No. 63-00021, originally claimed by Paul B. Petersen, and find we need more information.

In February of this year, we received a Notice of Change in Water Right Ownership for Rts. 63-20833, 63-20834 and 63-3237 (copy enclosed for your convenience). On March 27, 2006, our department sent you a letter advising you that you needed to submit a \$50.00 change in ownership fee for Rts. 63-20833 and 63-20834. These are two decreed rights that are for domestic and stockwater purposes located in the SW1/4SE1/4, Section 31, Twp. 3N, Rge. 3W. We have no record of the fee being submitted so these rights are still in the names of Boyd Petersen (63-20833) and Paul B. Petersen (63-20834). We will not be able to change the ownership of these rights until we receive the \$50.00 filing fee. Please submit the fee on or before October 1, 2006 or we will return the ownership change form to you without any action being taken on it.

Right 63-3237 was also shown on the notice of change in water right ownership form. However, in review of Claim 63-00021 we find that it duplicates right 63-3237. Right 63-3237 has not been claimed in the Snake River Basin Adjudication (SRBA). If it is a duplicate record of Rt. 63-00021 then a claim on Rt. 63-3237 would be of no value. We have enclosed, for your convenience, a copy of Claim 63-00021 and a copy of License 63-3237. Please review these records and determine if you want to continue to show Rt. 63-3237 on the ownership change form.

If you wish to pursue the change in ownership of 63-3237 then you should file a claim in the SRBA to comply with the mandatory filing requirement. A claim must be submitted on any rights where proof of beneficial use was submitted prior to November 19, 1987. The proof of completion of works was submitted on Rt. 63-3237 in March of 1968. However, since the irrigation is covered under Claim 63-00021 then a claim on Rt. 63-3237 would be duplicative and we would only recognize one of the claims when our recommendations are submitted to the SRBA Court.

We will withhold any action on the Notice of Change in Ownership form until we receive the \$50.00 filing fee or until October 1, 2006, whichever comes first. Please respond before October 1, 2006, if you wish to pursue the ownership change. Also, we are currently preparing all SRBA claims for Canyon County for submittal to the court later this year. I have been assigned as the agent preparing recommendations of your claim for the court. If you have any questions regarding this letter, or your claim, please do not hesitate to contact me at (208)287-4953.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER

Sr. Water Resource Agent

KW:k

Enclosures