



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

January 24, 2007

IDAHO WATER CO LLC
C/O DEL KOHTZ
1135 VALLEY RD S
EDEN, ID 83325

RE: Application for Transfer #73040/Garcia

Dear Mr. Kohtz:

An ownership question has come up in regards to the two water rights you acquired from Riverview Dairy, 36-7460AG and 36-14988, and will be transferring a portion of each to the Garcia's if transfer #73040 is approved. Preliminary review of the application indicates that it is incomplete. The Proof of Ownership for the Proposed Right was not provided correctly. The copy of the Option Agreement for Purchase and Sale of Water Right between Riverview Dairy-Jeanne Serviss and Idaho Water Company that you submitted with your application was not signed or notarized.

The Lienholder Statement for the Recorded Right was not provided correctly. You did not answer question 6.b. on Part 1 where it asks: Are the lands from which you propose to transfer the water right subject to any liens, deed of trust, mortgage or contracts?

We have received a Change of Ownership on the rights conveying them from Riverview Dairy to Equity Livestock Credit Corporation with the ownership based on a Sheriff's Certificate of Sale of Real Estate on Foreclosure.

We cannot process the transfer until these questions are answered and the ownership of the rights is cleared up. Please provide ownership documentation that shows you own the two rights in question.

Please feel free to contact this office if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

CC: Brent Robinson (Ling Robinson & Walker)
Robin Mac Leish (Equity Livestock Credit Corporation)
Linda B. Jones (Holland & Hart)