



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

July 21, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

KATIE BRECKENRIDGE
BRECKENRIDGE FAMILY LTD PARTNERSHIP
PO BOX 685
PICABO ID 83348

Re: Extension of Time to Avoid Forfeiture and Resumption of Use for water right
nos. 71-00064B & 71-00069

Dear Katie,

This letter is in response to our recent telephone conversation regarding the Notice of Resumption of Use ("notice") I sent you for the above-referenced water rights. The notice requested your response about the resumption of use of the water rights as stated in the order granting your Applications for Extension(s) of Time to Avoid Forfeiture ("application" or "applications"). I am providing this letter, as you requested, to further explain and document the error specific to application no. 71-00064B.

During my review of our files, I found that in October of 1997, the department was processing an application for transfer (no. 5105) filed by L.L. Breckenridge Co. for changes to water rights nos. 71-00064 & 71-00069. This transfer split water right 71-00064 into portions A and B. In addition, claims were filed in the Snake River Basin Adjudication ("SRBA") for water right nos. 71-00064A, 71-00064B, and 71-00069. It appears that differences within the department's processes at this time, regarding the ownership of rights 71-00064A and 71-00064B, may have conflicted.

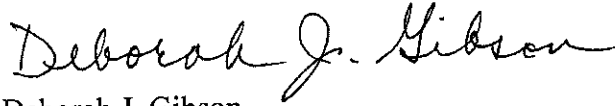
I have determined and verified with other staff that based on the legal description you provided with your applications for extension of time and the ownership determined by the SRBA court, water right nos. 71-00064A and 71-00069 are owned by the Breckenridge Family Ltd. Partnership. The Department of Interior/Forest Service owns decreed water right no. 71-00064B. Therefore, the extension application you filed for no. 71-00064B will be recognized as being for water right no. 71-00064A. Enclosed are copies of partial decrees for 71-00064A, 71-00064B, and 71-00069 for your information.

I apologize for any inconvenience this error may have caused you. I recommend that when you respond to the department's notice for resumption of use that you refer to water right nos. 71-00064A and 71-00069. Please file your response with the department on or before September 1, 2006.

Katie Breckenridge
July 21, 2006
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If I can provide additional documentation or assistance in this matter, please do not hesitate to contact me at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure(s)

Cc: Water right file no. 71-00064A