



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

October 5, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SHINER RANCH INC
PO BOX 26
LEMHI ID 83465-0025

RE: Permits to Appropriate Water Nos. 74-7002A and 74-7002B

Gentlemen:

We are in the process of preparing water right licenses for the above referenced permits. The permits are currently in the names of George Ellsworth (74-7002A) and Phyllis Ellsworth (74-7002B). It has come to our attention that you are the current owner of the lands to be irrigated under these permits and Shiner Upper and Shiner Lower dams, according to our dam safety records. Enclosed, for your information, are copies of water right reports showing how these permits are currently recorded in our files.

An employee of our Department examined the permits on April 3, 1979. We attempted to license the permits between 1980 and 1987 but found the Department had concerns about the permits being licensed at that time. We are now ready to issue the licenses for the permits but found that the location of Shiner Lower has changed from what was proposed on the permit. We will require the enclosed licensing amendment be signed and submitted for Permit 74-7002B. The filing fee for submittal of the licensing amendment is \$50.00.

These permits have not been claimed in the Snake River Basin Adjudication (SRBA). The SRBA is finalizing all their recommendations for Basin 74 and if these permits are not claimed the rights may be lost even if we proceed with licensing at this time. If you wish to obtain the water rights for these dams, you need to file claims in the SRBA at your earliest convenience. We have prepared and enclosed claim forms, for your convenience, based upon the findings of our field examiner. Please note that the filing fees for these claims are listed on the top of the form. The claims will need to be signed in the presence of a notary public and returned to our office with the filing fees.

If you have any questions in regard to the above, please feel free to contact me at (208)287-4953, Roxanne Brown of the SRBA at (208)287-4800, or our office in Idaho Falls at (208)525-7161. Your prompt attention to this matter would be greatly appreciated. The SRBA will be reporting the water rights in Basin 74 at the end of this month and we would like to see these rights included.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Cc: Eastern Region SRBA
Roxanne Brown, State Office

Enclosures