



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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2005

WINEMAKERS LLD
C/O PAUL D LUKAS
PO BOX 1019
SUNNYSIDE WA 98944

RE: Point of Diversion Removed by Ownership

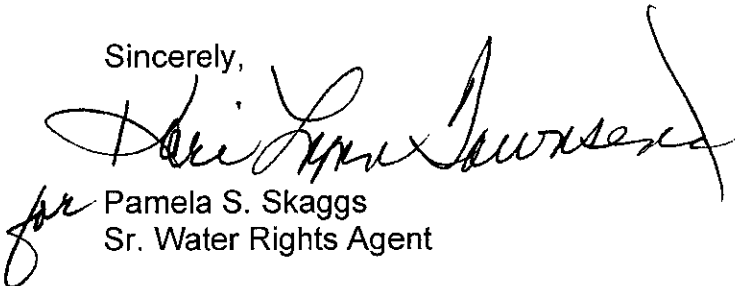
Dear Mr Lukas:

I spoke with Mr. Jeffers this morning to clarify the intent of your 09-12-2005 letter requesting separation of the wells associated with Water Right 63-11216. There was some confusion regarding the language of your letter that refers to the "ground water right" and "ground water diversion" that led to the 9-22-2005 response letter from Kandice McDermott confirming that you own the entire water right.

I confirmed with Mr. Jeffers that the intent of your letter was to remove the well that is located in NESW, Sec 35, T02N, R03W from Water Right 63-11216. This well is not located on your property as described on the Warranty Deed submitted with your Change of Ownership form. Removing the point of diversion from your water right is not necessary to cease use of the well. However, it does clarify that the well located on your property in SWSE, S27, T02N, R03W is now the only well currently connected to the diversion system. This well is now the only authorized point of diversion for your water right. If in the future you wish to move the water right to a new well or add additional wells to the system, an Application for Transfer would be necessary.

I am sending you a computer generated proof report of the right as it is now described in our database. If you require additional information regarding this matter, please call me directly at (208) 287-4951, e-mail me at pam.skaggs@idwr.idaho.gov, or contact me by mail, and I will be happy to assist you.

Sincerely,


for Pamela S. Skaggs
Sr. Water Rights Agent

PSS:klt

Enclosure

cc: Dale Jeffers