



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 5, 2005

William Nungaster, Attorney
133 Shoshone St North
Twin Falls, ID 83301

RE: App For Transfer 71435, Clear Lake Ranch PUD & Clear Lake Country Club

Dear Bill;

David Brush of the Clear Lake Ranch asked me to write a letter of explanation for the change to the decreed place of use for Right 36-4148A contained in this transfer. The transfer was originally filed by the Country Club to change the place of use for 0.60 cfs of this water right that they bought from the Ranch in 1998. In normal transfer processing, the unchanged portion of the right would not be affected. However, the decreed place of use for this right covers land that the Ranch does not even own; leaving it unchanged would simply not make sense, so I corrected the description of the Ranch property based on the plat data that you provided. The 44.7 acres that I found includes all the land within the subdivision boundary, and has not been reduced due to subsequent home building. It has been less than 5 years since this right was decreed in the SRBA, so there is no concern about partial forfeiture within the subdivision at this time.

The area inside the dark-blue line on the map I gave you is the subdivision. After the transfer is (hopefully) approved, Right 36-16236 will cover this property. The place of use will be as follows: Section 1; Lot 13 (NE/SW) 11.4 acres, Lot 12 (NW/SW) 11.3 acres, Lot 11 (SW/SW) 6.3 acres; Section 2; NE/SE 0.1 acres, Lot 9 (SE/SE) 15.5 acres; Section 11; Lot 5 (NE/NE) 0.1 acres. The point of diversion will remain as it was decreed.

If the Ranch has further questions, I would be happy to discuss their concerns.

Regards,

James E. Stanton
Sr. Water Resource Agent