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CORPORATE HEADQUARTERS

January 18, 2005

Ernest Carlsen
State of Idaho
Department of Water Resources
900 N Skyline Drive
Idaho Falls, ID 83402

RECEIVED

JAN 20 2005

Department of Water Resources
Eastern Region

Re: Application for Transfer of Basin 33 Water Rights to Correct Point of Diversion.

Dear Mr. Carlsen:

On June 19, 1990, application for transfer no. 3722 of water right nos. 33-2125 and 33-2119 was filed with the IDWR. Transfer no. 3722 was approved on November 25, 1991 changing certain places of use under these water rights and authorizing a new point of diversion to be located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 T.5N R.29E. This additional point of diversion was added to replace the diversion capacity of a failing well situated in the same legal subdivision.

The new well was constructed approximately 140 ft. northeasterly of the failing well. Unfortunately, we recently confirmed the well is actually located across a section line within the southeast quarter of the section of land lying north of the described location. The enclosed transfer application is being submitted to correct the location of the well described on the water rights currently identifying the old well location.

The water rights shown on the enclosed transfer application all currently describe the point of diversion to be corrected. The quantities and volumes shown are the total amounts decreed for all of the water rights combined. This is somewhat misleading. The attached decreed rights do not allocate a specific portion of the total decreed amounts attributable to each point of diversion. For this reason the entire decreed quantities and volumes are shown on the enclosed transfer.

There are no proposed changes to the amount of water that has been diverted from this well since the approval of transfer no. 3722. The enclosed transfer application is filed for the sole purpose of correcting the location of a well that was inadvertently installed across a section line and has been in use for more than 14 years. We only recently confirmed that the actual well location is incorrectly described on the decrees.

Please file the enclosed transfer application and apply the enclosed \$3,283.60 check to cover your processing fee. Should you need any additional information to process this transfer, please contact me. I can be reached by telephone (208-389-7359) or by email (vic.conrad@simpplot.com).

Sincerely,

Vic Conrad
Land, Water & Asset Recovery