



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

September 20, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

WILLIAM A PARSONS  
PARSONS SMITH & STONE LLP  
PO BOX 910  
BURLEY ID 83310

RE: Water Rights 45-7727 and 45-7360

Dear Mr. Parsons:

IDWR has received your letter asking if the owner of Water Rights 45-7727 and 45-7360 is in compliance with the 1996 stipulated agreement signed by Antone R. Thompson, Oakley Canal Company, and Shoulder 3 Ranches, Inc. IDWR does not enforce separate agreements to which IDWR is not a party. Any action to enforce the provisions of the stipulation would have to be pursued within a court of law or before another agency with the appropriate jurisdiction over the stipulation.

IDWR does, however, enforce the provisions of water right decrees, permits, and licenses. IDWR has not received any recent, detailed complaints about the owners' use of water under Water Rights 45-7727 and 45-7360, and there are no active or pending regulatory actions being taken by IDWR against the owners of Water Rights 45-7727 and 45-7360. If there are specific elements or conditions of the water right licenses that you believe the right holder is violating, IDWR will review your complaint if you submit a detailed letter with supporting documentation to IDWR's Southern Region office in Twin Falls.

Also, please note that Right 45-7360 was claimed in the Snake River Basin Adjudication. IDWR has submitted a Director's Report for Administrative Basin 45, including Right 45-7360, to the SRBA court. The objection deadline is January 7, 2005.

If you have any questions, please call me at 208-327-7946, or email me at [skeen@idwr.state.id.us](mailto:skeen@idwr.state.id.us).

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

cc: Allen Merritt, IDWR Southern Region