



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 19, 2004

STUART & RHONDA WEIMER
19 SPRING GULCH RD
GARDEN VALLEY ID 83622

RE: Notice of Change in Water Right Ownership for Water Right Nos.
65-3222, 65-3223 and 65-8290

Dear Mr. and Mrs. Weimer:

You filed a notice of ownership change for a portion of the above referenced Scriver Creek irrigation water rights on March 15, 2004. At that time, the Idaho Department of Water Resources (IDWR) already had different ownership information regarding those rights and other water rights from Scriver Creek for the irrigation system operated by PTR Inc. ("PTR").

Your filing occurred within the context of your protest against PTR's Application for Exchange of Water Right Nos. 65-3222 and 65-8290. The anticipated settlement of the protest did not take place earlier this year. Additionally, your attorney withdrew from this protested matter on May 21, 2004.

IDWR reviewed the competing ownership information submitted by you and by PTR and reached the following conclusions:

1. The water rights were previously owned by Pine Tree Ranch Inc. based on decrees issued in the Payette River Basin Adjudication and later in the Snake River Basin Adjudication.
2. Pine Tree Ranch Inc. conveyed ownership of the Scriver Creek irrigation rights to PTR.
3. PTR owns and operates the irrigation system for the benefit of individual irrigators within that system. PTR conducts this business under its articles of incorporation and/or bylaws.
4. Individual irrigators are entitled to beneficial use of the water rights but do not own or control those rights.

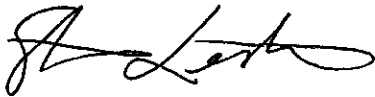
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Therefore your notice of change in water right ownership for a portion of water right nos. 65-3222, 65-3223 and 65-8290 is returned. A refund for the \$300 filing fee you paid will be issued to you as soon as possible.

Your protest against the PTR exchange application remains unresolved. IDWR will schedule a hearing on this contested case by contacting the parties under separate notice. You are welcome to pursue the issue of water right ownership with the hearing officer once a hearing has been scheduled.

Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized, cursive script.

Steve Lester
Water Rights Supervisor

Enclosure

CC: PTR Inc.
Bryce Farris, Attorney for PTR Inc.