

Monteview Canal Company
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June 16, 2004

JUN 21 2004

IDWR
Shelley Keen
1301 North Orchard
Boise, Idaho 83706
(208) 327-7900 ext. 7946

Dear Shelley,

As per our phone conversation enclosed are the concerns listed on the transfer of water right, transfer No. 71045 sent May 11, 2004. It is our understanding this is a transfer correcting the place of use for the Douglas Fransen farm. We have applied for three additional points of diversion; however, they don't appear to be included on this transfer. The following are concerns with the page number that they are on listed.

(1) Page 1 of 44 lists under purpose of transfer (changes proposed) to add a point of diversion. We are changing the place of use on the Fransen property, but not the point of diversion.

(2) Page 1 again lists an acre limit. This is new from the partial decree. The acre limit appeared for the first time on the Caudle transfer and is also on the Engberson transfer. I was unaware of the other transfers as, I wasn't president at the time, so this is the first I have seen of the acre limit. My question would be why is it on the transfer and where did the figure for acre limit come from. The original water rights were listed for quarter sections, as was the case on the partial decree. The total acres 5295 listed for the canal company is correct as shown on page 1,2 and others. Page 2 of 44 shows the acre limit of 5295; however, if the total acres are added the total is 5138.5 acres not the 5295 acres shown. The correct figure should be 5295 acres.

(3) Page 2 and others list the transfer rate of 150.95 cfs. The partial decree provided the company with 156 cfs. If we subtract the 3.2 cfs for the Caudle transfer and the .5 cfs for the Engberson transfer, a total deduction of 3.7 cfs this should leave the company with 152.3 cfs as the correct total not the 150.95 listed.

These are some of the concerns I explained to you. If you have further questions please let me know. Again thank you for your help in this matter.

Sincerely,

