

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

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DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

June 2, 2005

Brian Hansen
BDH Properties
26705 N. One Mile Canyon Road
Malta, ID 83342**RE: Potential Unauthorized Use of Water NE ¼ of the NW ¼ T15S R27E Section 20**

Mr. Hansen:

Our records indicate that you are the owner of the above referenced property. The Department of Water Resources recently conducted a review of irrigated land in the vicinity of your property to identify lands that may have been irrigated illegally in 2004. Based on our review of 2004 satellite imagery, and our records of legal places of use for irrigation, it appears that the above referenced property may have been irrigated in 2004 without a legal right to do so.

The Department conducted a field inspection on May 25, 2005 to determine if irrigation is occurring this year. At the time of the visit a full circle 10-tower pivot was observed at the site, but the land appeared to have not been worked for some time and there was no evidence of recent irrigation.

This letter is written to make you aware that irrigation of adjacent lands (the NW, SE and SW ¼s of T15S R27E Section 20) within the same pivot trace is legal under water rights owned by Ruth and Reid Stewart. However, IDWR has no record of any valid water rights for your land in the NE quarter of the NW quarter of section 20. Please note that irrigation of lands without a valid water right may result in a Notice of Violation and a possible fine of up to \$10,000.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nick Miller', is written over a horizontal line.

Nick Miller
Water Distribution Section

cc: IDWR Southern Region

N:/Correspondence/053105Hansen.doc