



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 3, 2010

Brent Morrison
4093 E Maple Creek Rd
Franklin, ID 83237

Re: Your Correspondence Dated April 14, 2010 Regarding Franklin Maple Creek Pioneer Irrigation Company Stock

Dear Mr. Morrison,

The Idaho Department of Water Resources (IDWR or Department) received your correspondence of April 14, 2010 concerning questions about shares and billing procedures in the Franklin Maple Pioneer Creek Irrigation Company (Company). Your letter was forwarded to me for response. I apologize for some delay in responding to your inquiries.

Please note that the Company's water rights are based on an old court decree. There is little information in our files on the Company's rights other than the decree and information surrounding a 1983 water right transfer filed by the Company on one of its rights, which is identified as right no. 13-44. This right has a priority date of 4/1/1877 and diversion rate of 2.0 cubic feet per second (cfs). It appears to be represented in our records as a high flow water right. I am not able to ascertain from the record of this water right as to the number of first and second class shares that existed when the Company was founded, nor am I able to ascertain the current number of first and second class shares given that the latest records in our file dates back to 1983. The record appears insufficient to address your third question whether or not second class shares were ever changed to first class shares.

Although our records appear to be limited with respect to your questions, you may access all of the information we have for water right 13-44 via the Internet using the following IDWR address link: <http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp> There are no files or documents for the other Company water right records other than a listing or summary of Company rights in the old court decrees. Those decrees are silent with respect to issuance, types and number of Company stock or shares.

I unfortunately must advise you that IDWR lacks any jurisdiction or authority to address any complaints regarding the Company's billing procedures and/or failure to respond to your billing concerns. IDWR does not regulate private water delivery companies other than through the delivery of water pursuant to established water rights through local water district water masters. Billing questions within private companies must be resolved within the company or if necessary, through the normal private legal options that may be available to any private company shareholder. Please also note that irrigation companies are private companies and are not required to report information regarding issuance and/or change in company stock.

Please contact me directly at 208-287-4959 or staff at our regional office in Idaho Falls (208-525-7161) if you need assistance accessing any information from our water right files.

Regards,

A handwritten signature in black ink, appearing to read "Tim Luke". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Tim Luke
Water Distribution Section

Encl: Copy of Correspondence from Brent Morrison, April 14, 2010

Cc: Gary Spackman, IDWR Interim Director
James Cefalo, IDWR Eastern Region
Troy Foster, Water District 13-A Watermaster