



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

October 28, 2008

Martin E. Taylor, AICP  
C/o James A. Sewell & Associates, LLC  
1205 Highway 2, Suite 101  
Sandpoint, ID 83864

Re: Application For Amendment of a Permit, 96-7092

Dear Mr. Taylor:

Upon starting to process the above mentioned application, the Department discovered 96-7092 is a license rather than a permit. A license cannot be amended. The addition of a point of diversion to an existing license can only be accomplished through a transfer. Therefore, the department is returning the application for amendment to you, along with the submitted filing fee of \$50.00.

Also enclosed is an application for a transfer that would allow the addition of a point of diversion, if approved. As another note, on the application for amendment, Beyond Hope II, LLC requested the diversion for 96-7092 be increased from 0.2 cfs to 0.45 cfs. An existing license cannot be expanded. The addition of a point of diversion is not an expansion of the right but, increasing the diversion is. The only way additional water can be obtained is through a new appropriation.

Transfer applications appear to be difficult and in some cases they are. If you need help in filling one out, it would be best to make an appointment and the department will be glad to assist you.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin  
Senior Water Resources Agent  
Enclosure

COPY