



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 29, 2016

THORPE FAMILY TRUST
23498 BOISE RIVER RD
CALDWELL ID 83607

RE: Water Right Permits No. 63-32226 and 63-32608

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. There are several actions that need to take place prior to issuing the water right license for this permit. I will address each issue below:

Assignment of Permits 63-32226 and 63-32608:

The department acknowledges receipt of the assignment of permit for water right permits 63-32226 and 63-32608. The department has modified its records to reflect the change in ownership. The receipt for your assignment of permits has also been enclosed with this letter. Please note: SPF Water Engineers paid the fee, so they are listed on the receipt as the "Payer."

Proof Acknowledgement for permits 63-32226 and 63-32608 and Order of Reinstatement of Permit 63-32226:

63-32226 -- The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **November 21, 2005**, as provided in section 42-218a(2), Idaho Code.

63-32608 -- The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

Amendments of Permits 63-32226 and 63-32608:

By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

A field examination was performed Scott King of SPF Engineering. During the field exam, it was discovered that the original permits only provide for a single filling of the pond and no evaporation or seepage losses. The permits also allowed for a flow-through component, which is not consistent with filling the pond once and then letting the stored water to evaporate or seep out of the ponds.

Through discussions with Mr. King we could convert a portion of the wildlife flow-through use to wildlife storage to cover the seepage and evaporation occurring in the ponds. The permits have been modified by the attached amendments.

The enclosed Application for Amendment forms depicts the elements of the water rights as they will appear on the licenses when it is issued. It will also show the addresses described in the assignments of permits for these two water rights. Please review the amendment form carefully. **If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee for each amendment for a total of \$200.00 total by May 16, 2015.**

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Daniel A. Nelson
Staff Hydrologist
Planning Bureau
Idaho Department of Water Resources
Telephone # (208) 287-4856
Email – dan.nelson@idwr.idaho.gov

CERTIFICATE OF SERVICE

I hereby certify that on **April 29, 2016** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING A PERMIT**) to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **63-32226**

**SPF WATER ENGINEERING LLC
C/O SCOTT KING
300 E MALLARD DR STE 350
BOISE ID 83706**

**THORPE FAMILY TRUST
23498 BOISE RIVER RD
CALDWELL ID 83607**

A handwritten signature in black ink, reading "Darla Block". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

**Darla Block
Technical Records Specialist**