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Department of Water Resources
Eastern Region

December 10, 2012

Denise Kidman
IDWR Eastern Region Office
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Subject: IDFG Application for Transfer

Dear Denise,

On behalf of Idaho Department of Fish and Game, this letter provides additional information requested in your letter dated November 20, 2012. This additional information supports the enclosed *Amended Application for Transfer* seeking authorization to change the point of diversion and place of use on water right record 35-11394.

Request No. 1: The point of diversion on the map may locate the proposed well within 50 feet of an existing well for Water Right 35-8635B in the name of Michael Boren.

Response: The proposed well will be drilled more than 50 feet from any existing ground water diversion.

Request No. 2: Reviewing tax lot data, it appears that the Place of Use for 35-11394 is decreed to Houghland Farms Inc. property. If water right 35-11394 is being beneficially used within IDFG property boundary, then this transfer should include a POU change.

Response: The map submitted with the original transfer application incorporated data retrieved from the IDWR GIS data base for water right 35-11394. As you know, IDWR generally uses complete forty-acre tracts for describing domestic places of use and locates the domestic point of diversion in the center of that tract. IDFG owns a portion of the SWNE tract where water right 35-11394 is appurtenant. The map included as Attachment 7a on the enclosed application more accurately shows the existing point of diversion and place of use authorized under water right 35-11394 located within IDFG property.

While reviewing this question, we realized that a change in place of use is necessary to accommodate domestic uses that are being developed within IDFG property, but located in unauthorized tracts. Enclosed is an Amended Application for Transfer to account for this change.

Request No. 3: The current owner of water right 35-11394 is North Fork Energy Inc. The deed submitted shows ownership going from Idaho Fish and Wildlife Foundation, Inc. to IDFG. In

addition to the deed full chain of deed(s) showing ownership from North Fork Energy, Inc. to Idaho Fish and Wildlife Foundation, Inc. will be required.

Response: Per your request, Attachment 2A of the enclosed application provides the chain of deeds from North Fork Energy, Inc. to IDFG.

Check No. 7284 for \$225 is enclosed for the filing fee; \$200 for the amended transfer application and \$25 for the ownership change. Thank you very much for your consideration and assistance in this matter. Please call me if you have any further questions.

Sincerely,



Lori Graves
Water Rights Specialist

Cc: Mort McMillen – McMillen, LLC

Enclosures

SPF file number: 444.0081