



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**Western Region, 2735 Airport Way, Boise, Idaho 83705-5082**

**PHONE: (208) 334-2190 FAX: (208) 334-2348 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

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**C.L. "BUTCH" OTTER, Governor  
GARY SPACKMAN, Director**

September 7, 2012

US ECOLOGY IDAHO INC  
PO BOX 400  
GRAND VIEW ID 83624

Re: Application for Transfer, Water Right No. 51-2159

Dear Sir or Ms:

Envirosafe Services of Idaho Inc. filed an application for transfer in 1998 regarding the above referenced water right. The application was not processed due to Snake River Basin Adjudication (SRBA) concerns and other policy issues. The right was decreed in the SRBA in 2000, resolving those adjudication concerns. Other policy issues were resolved after that.

In November 2005, the Idaho Department of Water Resources (IDWR) corresponded with the applicant. The gist of the message was that a transfer was not required but possibly could be approved if the applicant wanted to continue the process. The applicant did not respond, presumably because a transfer approval was no longer desired.

Your company is the successor in interest for this water right. The transfer application is therefore returned to you. Please see the enclosed website information if your company wants to file a transfer on this right or any other right in the future.

Please note IC § 42-248 requires a new owner of a water right to file an ownership change with IDWR. The fee in this case would be \$25. Please use the enclosed form to do this at your earliest convenience.

Please contact me at 208-334-2190 if you need more information in this matter.

Sincerely,

Steve Lester  
Water Rights Supervisor

Enclosure

Cc (w/o enclosure): Dana Hofstetter, Attorney for Transfer Applicant



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

November 4, 2005

DANA HOFSTETTER  
HOFSTETTER LAW OFFICE  
608 W FRANKLIN ST  
BOISE ID 83702

Re: Application for Transfer of Water Right No. 51-2159

Dear Ms. Hofstetter:

The above referenced transfer application for monitoring wells was filed in 1998. The last correspondence in this matter was the March 13, 2001 letter from the Idaho Department of Water Resources (IDWR) administrator to you.

That letter discussed whether or not water right approval would be needed for the environmental monitoring proposed by the application. Apparently the applicant could pursue either option.

My letter today inquires into the status of the application. Given the amount of time that has been available to make a decision, it is doubtful that IDWR would grant additional extensions of time for this application. The application should be withdrawn or processed. Please let me know how the applicant would like to proceed. IDWR will void the application without a written reply by January 15, 2006.

Enclosed are copies of some relevant information. Please let me know if you need more information. Thank you for your attention to this matter.

Sincerely,

Steve Lester  
Water Rights Supervisor

Enclosure

RECEIVED

MAR 15 2001

WATER RESOURCES  
WESTERN REGION



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 13, 2001

Dana L. Hofstetter  
Beeman and Hofstetter, P.C.  
P.O. Box 1427  
Boise, Idaho 83701-1427

Re: Water Right No. 51-02159 Environmental Services of Idaho, Inc. (ESII)

Dear Dana:

Your letter of December 14, 2000, requests a confirmation of Idaho Department of Water Resources' policy concerning the need for a water right for environmental monitoring purposes. I have reviewed the transfer application filed March 2, 1998 and its associated water right file and discussed the matter with you in a telephone conversation. Although the facts concerning the projects are different, the discussion concerning when a water right is needed, that was included in the August 19, 1996 letter enclosed with your recent letter, is relevant to the question you pose.

The 1996 letter responds to whether a water right is needed and can be issued for two pump-and-treat ground water cleanup projects. The letter describes that a water right is required and can be issued if: 1) there is an intent to establish a water right, 2) the water will be diverted, and 3) the water will be placed to a beneficial use. Because these factors were not satisfied by the diversion of water for the pump-and-treat projects, a water right could not be issued. However, because of the public interest in having ground water cleaned up, an agreement was offered to assure that the Department would not take enforcement action to prevent diversion of water unless the diversion was determined to injure other water rights.

As we discussed, application of the policy described in the 1996 letter to the ESII project and entering into an agreement will make a water right unnecessary for the water quality monitoring project. However, ESII may choose to seek a water right to assure that the water quality monitoring can be continued in the future if state law, rules, or policy change; if third parties assert that the diversions are unauthorized; or the diversion of water for this purpose is found to injure existing or future uses of water under established water rights. For a water right to be approved ESII would need to establish that in this instance diverting ground water for monitoring purposes is a beneficial use of water.

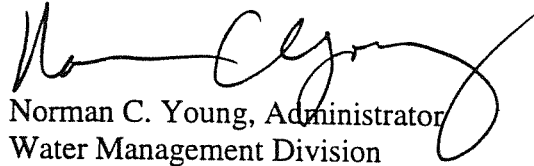
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Ms. Dana Hofstetter  
March 13, 2001  
Page 2

One final thought. If the diversion rate for this purpose does not exceed a diversion rate at 0.04 cfs or a volume of 2,500 gallons per day, the use would be exempt from water right permitting in accordance with Sections 42-227 and 42-111(1) (b), Idaho Code.

Sincerely,



Norman C. Young, Administrator  
Water Management Division

c: Gary Spackman, Western Region

SCANNED  
NOV 05 2004

## BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

December 22, 2000

*Via Facsimile 334-2348*

Steve Lester

Water Rights Supervisor

Idaho Department of Water Resources

2735 Airport Way

Boise, Idaho 83705-5082

Re: EnviroSAFE Services of Idaho, Inc.  
Transfer Application – Water Right No. 51-02159  
Our File No. 1837.1

Dear Mr. Lester:

As you know, on December 14, 2000, I sent Norm Young a letter requesting confirmation of the Idaho Department of Water Resources' ("IDWR") policy regarding water rights for ground water monitoring. I have spoken with Mr. Young on the telephone concerning this matter, and it is my understanding that he will be finalizing a letter shortly in response to our request. Due to the pendency of this matter and the upcoming holidays, EnviroSAFE Services of Idaho, Inc. ("ESII") may not be able to make a final decision concerning the above referenced Transfer Application by December 31, 2000. In your November 22, 2000 letter, you indicated that ESII might be able to request an additional extension beyond the December 31, 2000 deadline. I anticipate that ESII will be able to make this decision within the next 30 to 60 days and request a further extension.

Thank you for your assistance with this matter.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Dana L. Hofstetter

DLH:ja  
D:\1837\14233

# BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

December 14, 2000

*Via Facsimile 327-7866  
and U.S. Mail*

Norm Young, Administrator  
Water Management Division  
Idaho Department of Water Resources  
1301 North Orchard Street  
Boise, Idaho 83705

Re: EnviroSAFE Services of Idaho, Inc.  
Our File No. 1837.1

Dear Mr. Young:

I write on behalf of EnviroSAFE Services of Idaho, Inc. ("ESII") to request confirmation of the Idaho Department of Water Resources' ("IDWR") policy regarding water rights for ground water monitoring. ESII manages two hazardous waste disposal sites in Idaho, referred to as Site A and Site B. Site A is located in IDWR's Basin 51 and has been closed and non-operational for a number of years. ESII's Site B, located in IDWR's Basin 57, remains in operation. Pursuant to environmental regulatory authorizations, ongoing ground water monitoring is required at both sites. The purpose of this monitoring is to ensure that the wastes managed on the respective sites have not impacted nearby ground water.

As a result of a water right transfer application ESII recently submitted, we learned that IDWR may not require water rights for environmental purposes. ESII was provided a November 7, 1996 Memorandum from Glen Saxton to IDWR Regional Offices and Bureaus concerning this matter. That Memorandum attaches an August 19, 1996 letter by you to Mr. Michael Backe of Olympus Environmental, Inc. and also attaches a Memorandum of Understanding form (copy of the November 7, 1996 Memorandum and attachments enclosed). The gist of the November 7, 1996 Memorandum and attachments is that IDWR does not require water rights for ground water remediation wells because it

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WATER RESOURCES  
WESTERN REGION

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NOV 05 2004

does not consider this environmental activity (which involves pumping and treating ground water) a beneficial use of water. Instead, IDWR enters into a Memorandum of Understanding for such wells.

The ground water monitoring associated with ESII's facilities arguably is somewhat different than the ground water remediation addressed in the IDWR November 7, 1996 Memorandum and attachments. Ground water monitoring at ESII's facilities is integrally related to the business of managing hazardous waste and is done with the purpose of complying with hazardous waste facility operating requirements, including a federal Resource Conservation and Recovery Act ("RCRA") subtitle C permit. Ground water monitoring occurs at ESII's sites to allow ESII to pursue its business of managing hazardous waste. Monitoring is not undertaken for environmental remediation purposes, but, rather, to ensure that the ground water has not been contaminated. Under federal and state environmental regulatory requirements, ESII must continue the ground water monitoring while the sites are operational and for decades post-closure.

Each ESII site has a network of ground water monitoring wells, some of which are periodically pumped to obtain water samples for laboratory analyses. Prior to sample taking, each well has to be pumped for a while (flushed) to ensure that a representative sample of the ground water is obtained. Other than the flushing, the sampling, and the laboratory analyses, no other "use" of this diverted ground water is made. Some monitoring wells at both sites are used exclusively for water level measurements, and there are no actual diversions from these wells.

In summary, both ground water remediation and ESII's ground water monitoring program share a common objective of environmental protection. However, in other respects, ESII's ground water monitoring activities are distinguishable from ground water remediation. As part of ESII's ground water monitoring, a small quantity of water is sent to a laboratory for testing and likely is not returned to the local water system. Also, ground water monitoring is a required component of ESII's ongoing business of managing hazardous wastes. Under federal and State operating permit requirements, ESII must continue its ground water monitoring program without curtailment into the distant future. In contrast, ground water remediation typically involves the return of all water to the water system, is not a part of ongoing business operations, and is expected to last for a limited time period.

Norm Young  
Re: EnviroSAFE Services  
December 14, 2000  
Page 3

ESII seeks confirmation of IDWR's policy concerning ground water monitoring as ESII evaluates whether to continue to pursue transfer applications which would ensure water right coverage for all of ESII's Site A and Site B monitoring wells. If IDWR does not require water rights for ESII's ground water monitoring, ESII will not continue to pursue these transfer applications.

Please let me know if you need any further information or have any questions about this matter. Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.

A handwritten signature in black ink, appearing to read "Dana Hofstetter", with a long horizontal flourish extending to the right.

Dana L. Hofstetter

DLH:ja  
cc: Phil Rassier, Esq., IDWR  
Steve Lester, IDWR Western  
ESII  
D:\1837\1\4216

SCANNED  
NOV 05 2004

## MEMORANDUM

To: Regional Offices  
Water Allocation Bureau  
Resource Protection Bureau  
Adjudication Bureau

From: L. Glen Saxton *LS*

RE: WATER RIGHT FILING REQUIREMENTS FOR GROUND WATER  
REMEDICATION PROJECTS

Date: November 7, 1996

Attached is correspondence from Norman Young dated August 19, 1996 dealing with the above referenced subject matter. The letter essentially states that if a project operator will enter into a Memorandum of Understanding with the department, the department will not require the operator to file an application for permit and will not prosecute the operator as authorized in Section 42-351, Idaho Code.

Attached is a Memorandum of Understanding which should be used in connection with remediation projects. Use of the MOU represents a change in department policy for such projects, since we required some sort of water right authorization in the past.

For consistency reasons, we should not issue temporary permits as authorized in Section 42-202A, Idaho Code for remediation projects. All such projects should be authorized using a MOU.

Encl: 2



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

August 19, 1996

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Mr. Michael Backe  
Olympus Environmental, Inc.  
5409 Kendall Street  
Boise, Idaho 83706

Re: Water Rights for Recovery Wells

Dear Mr. Backe:

This letter responds to your two letters of July 26, 1996, in which you question the need for water rights to operate recovery wells for the removal of ground water contaminated with gasoline or other chemical compounds at two remediation sites located in Nampa and Twin Falls, Idaho.

The designed remediation system at the Nampa site is described as a 30 foot deep recovery well used to continuously pump approximately 25 gallons of water per minute. After treatment, the water is proposed to be discharged through a storm drain to Mason Creek. Water at the Twin Falls site is proposed to be pumped from a 30 foot deep recovery well at a rate of approximately 60 gallon per minute. The treated ground water is proposed to be discharged to a Twin Falls Canal Company lateral.

Your letters expresses the understanding, based on conversations with Department of Water Resources personnel, that a water right is required to operate the proposed recovery wells. Idaho statute provides in effect that all the waters of the state, when flowing in their natural channels, are the property of the state, whose duty it shall be to supervise their appropriation and allotment. I.C. § 42-101. The Director of the Department of Water Resources is authorized to take necessary actions to enforce the law relating to appropriation and use of water. Section 42-351, Idaho Code, provides in part:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural watercourse or from a ground water source without having obtained a valid water right to do so or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to take action against such person.

Michael Backe  
August 19, 1996  
Page 2

Section 42-351 vests the director with discretion as to when it is necessary or appropriate to bring an enforcement action against a person for diverting water from a ground water source without a water right. In the case of the two proposed ground water remediation projects that you have described, it does not appear appropriate to require that water rights be obtained by the site owners. The establishment of a new diversionary water right in Idaho requires: 1) intent to establish a water right; 2) diversion of the water; and 3) application of the water to a beneficial use in accordance with the terms of the permit. Based upon your description of the proposed ground water remediation projects, it appears that only the second of these three required elements would be satisfied.

Because the remediation site owners do not intend to acquire a right to the use of water and because the water will not be diverted for the purpose of applying it to a beneficial use, the elements for establishing a water right are not satisfied. The public, however, will benefit from actions to remove hazardous materials for the ground water. This appears, then, to be a circumstance in which the director should exercise the discretion provided under section 42-351 not to bring an enforcement action to prohibit the diversion of water without a water right.

In order for the ground water remediation programs to proceed without threat of an enforcement action, it is proposed that the site owners, or Olympus Environmental, Inc. on behalf of the site owners, enter into a written agreement with the director. In exchange for adequate conditions governing the construction and operation of the recovery wells, the director would agree not to otherwise exercise the enforcement authorities under section 42-351, Idaho Code.

The agreement should address matters such as: a requirement that a well-drilling permit be obtained from the Department of Water Resources for each well to be drilled; that ground water withdrawal be curtailed or mitigation be provided if existing water rights are found by the director to be injured; that the department be held harmless from any liability due to negligent discharge of the water; the allowable discharge site for the water, that the maximum time period of the pumping or the maximum volume of pumping be identified; that periodic reports concerning the project be submitted to the director; and that a final report be submitted to the director at the conclusion of the project. Because of existing concerns for the adequacy of the ground water resource at each remediation site, IDWR prefers that the water be returned to the aquifer after clean-up, but will consider other options.

Michael Backe  
August 19, 1996  
Page 3

Please let me know if you desire to proceed with the described approach.

Sincerely,



NORMAN C. YOUNG  
Administrator

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

MEMORANDUM OF UNDERSTANDING

**Purpose**

Section 42-351, Idaho Code, vests the Director of the Idaho Department of Water Resources (IDWR) the discretion to bring an enforcement action by issuing a Notice of Violation and/or a Cease and Desist Order for diverting water without a water right. In the case of remediation projects which require the diversion of water for the purpose of removing hazardous materials from the water or the bed or channel of the water body, establishment of a water right is not possible even though the public would benefit from removal of hazardous materials.

Upon execution of this Memorandum of Understanding (MOU), IDWR agrees to waive the enforcement provisions of Section 42-351, Idaho Code, provided the operator of the remediation project complies with the conditions of this MOU.

**NAME AND ADDRESS OF OPERATOR**

\_\_\_\_\_  
\_\_\_\_\_

**NAME, LOCATION, AND DESCRIPTION OF PROJECT  
(ATTACH ADDITIONAL SHEETS IF NECESSARY)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AGREEMENT**

**IDWR:**

IDWR agrees to not file an enforcement action under Section 42-351, Idaho Code, for failure of the operator to obtain a water right permit for the operation of the remediation project.

**OPERATOR**

The operator agrees to abide by the conditions of operation described below.

**CONDITIONS OF OPERATION**

1. The operator shall obtain any needed drilling permit(s) from IDWR as required in Section 42-235, Idaho Code, prior to the construction of any wells.
  2. The operator shall curtail diversion activity or shall provide appropriate mitigation if the remediation activity injures existing water rights as determined by IDWR.
  3. The operator shall hold IDWR and the Idaho Water Resource Board harmless from any liability due to the operator's negligent discharge of water.
  4. The operator shall submit periodic and final reports to the Director of IDWR of remediation activity upon request by IDWR.
  5. This authorization expires at the end of the calendar year or on \_\_\_\_\_ whichever is earlier.
  6. Other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**AGREEMENT EXECUTION**Idaho Department of Water Resources\_\_\_\_\_  
Authorized Agent\_\_\_\_\_  
DateOperator\_\_\_\_\_  
Name\_\_\_\_\_  
Address\_\_\_\_\_  
Telephone No.\_\_\_\_\_  
Authorized Agent\_\_\_\_\_  
Date



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

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

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**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

November 22, 2000

DANA L HOFSTETTER  
BEEMAN & HOFSTETTER PC  
PO BOX 1427  
BOISE ID 83701-1427

*Re: Transfer of Water Right No. 51-02159*

Dear Ms. Hofstetter:

This letter confirms additional time for Envirosafe Services of Idaho, Inc., to clarify the transfer application for water right no. 51-02159. Please provide adequate information for the transfer application to be processed or withdrawn by December 31, 2000. If those options are not feasible by the December 31 deadline, the applicant can make a written request to delay processing for up to one year.

Thank you for your attention to the transfer application.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester  
Water Rights Supervisor

## BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

November 21, 2000

*Via Facsimile 334-2348*

Steve Lester

Water Rights Supervisor

Idaho Department of Water Resources

2735 Airport Way

Boise, Idaho 83705-5082

Re: EnviroSAFE Services of Idaho, Inc.  
Transfer Application – Water Right No. 51-02159  
Our File No. 1837.1

Dear Mr. Lester:

This will confirm our telephone conversation of last week in which you granted EnviroSAFE Services of Idaho, Inc. ("ESII") another 30-day extension to respond to your August 23, 2000 letter. With this extension of time as well as the previous 60-day extension described in my September 15, 2000 letter, ESII's response to your August 23, 2000 letter will not be due until December 21, 2000.

As I explained, ESII plans to seek confirmation from Norm Young, the Idaho Department of Water Resources' Administrator of the Water Management Division, that water rights are not required for ground water monitoring purposes. ESII will not be able to make a final decision concerning the pending transfer application until it obtains this confirmation.

Please notify me if my understanding concerning our conversation and the extension granted is incorrect or incomplete in any regard. Otherwise, ESII will proceed on the basis of the extension described in this letter.

Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Dana L. Hofstetter

DLH:ja

cc: ESII

D:\1837\1\4163

# BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

September 15, 2000

*Via Facsimile 334-2348*

Steve Lester

Water Rights Supervisor

Idaho Department of Water Resources

2735 Airport Way

Boise, Idaho 83705-5082

*OK per 9/15  
tel. conversation -  
JL*

Re: EnviroSAFE Services of Idaho, Inc.  
Transfer Application – Water Right No. 51-02159  
Our File No. 1837.1

Dear Mr. Lester:

This will confirm our telephone conversation today in which you granted EnviroSAFE Services of Idaho a 60-day extension to respond to your August 23, 2000 letter which serves as a notice of intent to void the filing. With the extension of time, EnviroSAFE Services of Idaho's response to your letter will not be due until November 21, 2000.

Please notify me in writing if my understanding concerning our conversation and the extension granted is incorrect or incomplete in any regard. Otherwise, EnviroSAFE Services of Idaho will proceed on the basis of the extension described in this letter.

Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Dana L. Hofstetter

DLH:ja

cc: EnviroSAFE Services of Idaho, Inc.

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

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

August 23, 2000

DANA L HOFSTETTER  
BEEMAN & HOFSTETTER P C  
PO BOX 1427  
BOISE ID 83701-1427

***Re: EnviroSAFE Services of Idaho Transfer Application***

Dear Dana:

The latest contact in the above referenced transfer application is a telephone call from you on September 10, 1998. The purpose of this letter is to determine the status of the application. Three options are available to the applicant at this point as noted below.

1. Withdraw the transfer application and receive a \$100 refund. A withdrawal form is enclosed.
2. Amend or otherwise clarify the filing to allow processing to continue.
3. Submit a written request to delay processing of the application for up to one year.

Without one of those options being exercised, the transfer application will be voided due to failure of the applicant to provide sufficient information. A written reply within thirty (30) days of the date of this letter will prevent voiding of the transfer. This letter therefore serves as a *notice of intent to void the filing*.

Please contact me at 334-2190 if you have any questions or concerns in this regard.  
Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester  
Water Rights Supervisor

Enclosure

Cc: EnviroSAFE Services of Idaho, Inc.

**BEEMAN & HOFSTETTER, P.C.**

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman  
Dana L. Hofstetter

(208) 388-8900  
Fax (208) 388-8400  
beehof@micron.net

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**AUG 25 1998**

WATER RESOURCES  
WESTERN REGION

August 24, 1998

Steve Lester  
IDWR, Western

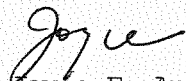
Re: Envirosafe Transfer Application

Dear Steve:

Dana is out of town this week. I will bring your 8/19/98 letter to her attention as soon as she returns.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Joyce E. Angell, PLS  
Office Manager



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

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

August 19, 1998

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

DANA L HOFSTETTER P C  
BEEMAN & HOFSTETTER P C  
PO BOX 1427  
BOISE ID 83701-1427

***RE: ENVIROSAFE SERVICES OF IDAHO TRANSFER APPLICATION***

Dear Dana:

This letter inquires about the status of the transfer application filed by your client for right no. 51-02159 on March 2, 1998. You and I met on April 14, 1998 to discuss transfer details.

From that meeting I understood that you were going to clarify several details in the application. Please advise me at your earliest convenience regarding that clarification. Let me know if I can provide any help in this matter.

Thank you for your assistance in the transfer process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Lester'.

Steve Lester  
Water Rights Supervisor

BEEMAN & HOFSTETTER, P.C.

Counsellors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

RECEIVED

MAR 02 1998

WATER RESOURCES  
WESTERN REGION

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

March 2, 1998

*Via Hand Delivery*

Idaho Department of Water Resources

Western Regional Office

2735 Airport Way

Boise, Idaho 83705-5082

Re: Application for Transfer of Water Right No. 51-02159  
Envirosafe Services of Idaho, Inc.  
Our File No. 1837.1

Dear Sir/Madam:

On behalf of Envirosafe Services of Idaho, enclosed are an original and a copy of the Application for Transfer of Water Right No. 51-02159. A check in the amount of \$100.00 is also enclosed for the filing fee. Please file the original Application, conform the copy, and return the copy to the runner. *Done ✓*

Please forward any future notices or communications concerning this Application to me for handling on behalf of Envirosafe Services of Idaho, Inc.

Thank you for your assistance with these matters.

Sincerely,

BEEMAN & HOFSTETTER, P.C.

*Dana L. Hofstetter / g*

Dana L. Hofstetter

DLH:ja

Enclosures

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