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DEPARTMENT OF
WATER RESOURCES

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Attorney for US Ecology, Idaho, Inc., Petitioner

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

In the Matter of Transfer No. 77667) **CASE NO. _____**
)
)
) **PETITION TO RECONSIDER**
_____)

Petitioner, US Ecology Idaho, Inc., by and through its counsel of record in this matter,
Dana L. Hofstetter of Hofstetter Law Office, LLC, and pursuant to Title 67, Chapter 52, Idaho
Code and IDAPA 37.01.01, respectfully files this *Petition for Reconsideration* requesting
revision of Condition Nos. 6 and 10 of Transfer Approval No. 77667 as follows:

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 9/1/2010.

10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 45.0 afa per acre at the field headgate for irrigation of the place of use.

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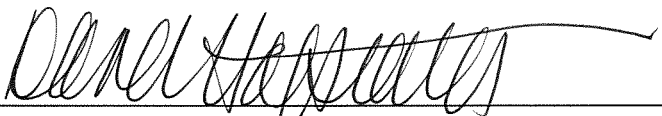
The requested revision to Condition No. 6 is to conform the season of use remark in this Transfer Approval to the season of use remark in the SRBA Partial Decree for Water Right No. 2-7065C. The requested revision to Condition No. 10 is to conform the diversion volume limitation to the 5.0 acre feet per annum ("afa") for Water Right No. 2-7065C authorized elsewhere in this Transfer Approval (2155 afa for 431 acres) and, also, in the SRBA Partial Decree for Water Right No. 2-7065C.

CONCLUSION

For the foregoing reasons, Conditions Nos. 6 and 10 of Transfer Approval No. 77667 should be corrected to allow for irrigation to begin 3/1 and for a diverted volume of 5.0 afa per acre, respectively.

DATED this 16th day of May, 2012.

HOFSTETTER LAW OFFICE, LLC

By 
Dana L. Hofstetter, for the firm
Attorney for US Ecology, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of May, 2012, I caused a true copy of the foregoing PETITION TO RECONSIDER to be served by the method(s) indicated on the following:

Original to:

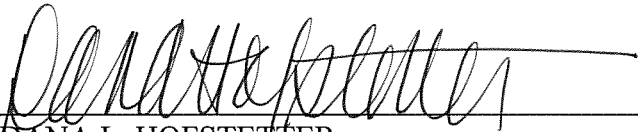
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