



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 • Web Site: www.idwr.idaho.gov

April 2, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

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

RE: Water Rights 65-22949, 65-22951, 65-22952 and 65-22954 Amendments and Fees

Dear Ms. Hofstetter,

I received the signed amendments for water rights 65-22949, 65-22951, 65-22952, and 65-22954 on March 28, 2012. In reviewing the amendments, I have three items to go over:

- (1) In your March 7, 2012 email to me, you stated, "I prefer the language on 65-22948," which is the language we agreed to apply to the rest of the amendments (*see condition #3 below*). The additional removal of the word "otherwise" was approved to be struck from the condition, since it did not change the content. For this reason, this condition will show the same on 65-22949, 65-22951, 65-22952, and 65-22954. An Amended Application for Amendment Page 2, for each of the above water rights is attached, indicating the agreed language.
- (2) Water rights 65-22949, 65-22951, 65-22952, and 65-22954 all have the same condition as that found on water right 65-22948 condition #2 (shown below). This condition is a standard condition that is carried over from the approved permit, and for that reason the language cannot be changed. *see 65-22949 SA.*
- (3) In accordance with Idaho Code 42-221C, when the four amendments listed ^{4/6/2012} above were received by the Department on March 28, 2012, a fee of \$100.00 per amendment was required (\$400.00 total). To date, these fees have not been received, and for this reason the licensing process is on hold. *Please submit the \$400.00 filing fee within 14 days.*

WATER RIGHT NO. 65-22948

Condition 2. To the extent that the source of water diverted under this right is waste water, it is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.

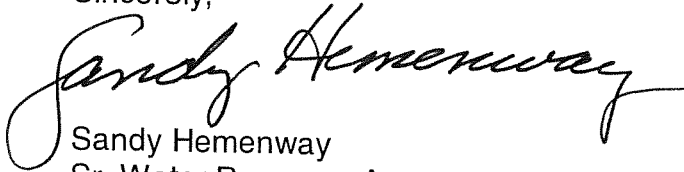
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Condition 3. The annual diversion rate and volume identified for this right are the rate and volume of water that can be consumed by the stock. This right shall not "*otherwise*" (*will be removed from all additional water rights*) limit the rate and volume of water that may flow in the unnamed drain.

If you have any questions, please contact me at (208)287-4920.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Hemenway". The signature is written in black ink and is positioned above the printed name and title.

Sandy Hemenway
Sr. Water Resource Agent

Cc: George E Colwell

Enclosures