

Keen, Shelley

From: Walker, Benny
Sent: Friday, December 09, 2011 4:14 PM
To: Keen, Shelley
Subject: Id Power WR 36-8761

Shelley,

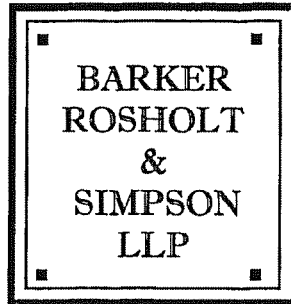
I am currently reviewing a transfer application for Id Power. In the process I discovered one of their water rights 36-8761 (not involved with the transfer) with the wrong place of use description. I sent a letter suggesting they may want to consider filing another transfer to correct the POU, and this attached letter is their response. I reviewed the back log on this water right and the attorney is correct. It was our error, we licensed the water right with the wrong Range of 11E rather than 15E as it should be. The license was issued as a preliminary order and Id Power was given the opportunity to make corrections, I just need to know how you want me handle the attorney's reply. If we are going to make them file a second transfer or make the correction of a clerical error.

Thanks for your assistance. Benny



Id Power
36-8761.pdf

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December 7, 2011

VIA US MAIL

Benny Walker
Water Resource Agent
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1342 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

RECEIVED

DEC 08 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Transfer Application for Water Right No. 36-2704

Dear Mr. Walker:

Today I reviewed the letter that you sent to Mr. Blew with Idaho Power Company concerning discrepancies in the transfer application relating to water right no. 36-2704. In your letter you identify a problem with the location of the place of use for water right no. 36-8761 and suggested that the Company file another transfer to correct the place of use.

A thorough review of the backfile illustrates that the only place in the file where the place of use is incorrectly described, is in the license prepared and issued by the Department. The application for water right, the notice published concerning the application, the permit, beneficial use field report and the Department's shape file for the right all identify the place of use in Range 15E. It appears that the incorrect description occurred as a clerical error at the time the license was issued. As such, it appears to be within the Department's power to correct the incorrect description.

Please contact me and let me know if the Department is will to correct the clerical error without requiring the Company to go to the expense of undertaking a transfer proceeding in order to correct the error. Thank you for your assistance.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

A handwritten signature in dark ink, appearing to read 'S. M. Davis', with a long horizontal flourish extending to the right.

Shelley M. Davis

CC: Jon Bowling and David Blew via electronic mail.