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April 13, 2010

Sharla Cox
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Application to Appropriate Water 75-14636

Dear Ms. Cox:

Thank you for discussing this matter with me. I am responding to your March 24, 2010 letter on behalf of Joseph and Shirley Hoy. Your letter requests additional information relative to the Hoy's Application to Appropriate Water (Water Right No. 75-14636). The following is in response to your letter:

Rule 40.05.c

This is an application to divert additional ground water from an existing well that is used for domestic purposes. The attached map shows the location of permitted wells within ½ mile of the proposed point of diversions. There may also be a few unknown small springs and domestic wells in the area.

Since the amount of water to be diverted under this water right is very small (0.09 cfs), no additional steps will be taken to improve efficiencies or reduce impact on neighboring water rights. The Applicant will simply connect to the existing pump on the existing well via an existing spigot. Any impact to the aquifer and area water rights will be minimal, at most.

Rule 40.05.d

The required diversion rate during peak use will be no more than 0.09 cfs. However, a majority of this diversion rate (0.05 cfs) will be supplemental to an existing surface-water right (75-2091D). The peak diversion rate on the remaining 2 acres will be 0.04 cfs. The Hoy's have generally had sufficient surface water, so the average diversion rate will likely remain at around 0.04 cfs.

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Rule 40.05.e

As stated, the Applicants seek to divert water from an existing well on the property that they own. A copy of the deed is attached to this letter. There is no bad faith or speculation associated with this project. There are no additional licenses or approvals required for this Application.

Rule 40.05.f

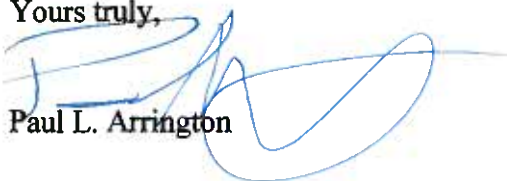
Since the Applicants seek to divert water from an existing well with an existing spigot, there will be no additional financial resources necessary.

Rule 40.05.g

In our phone conversation, you indicated that IDEQ has already provided you with the required letter. The Department of Fish & Game should be providing you their information in the near future. If the information is not received, please give me a call and I will follow up with the Department of Fish & Game.

Based on our phone call, I believe that this is all of the information you need to continue processing the Application for water right 75-14636. Should you need any additional information, please give me a call.

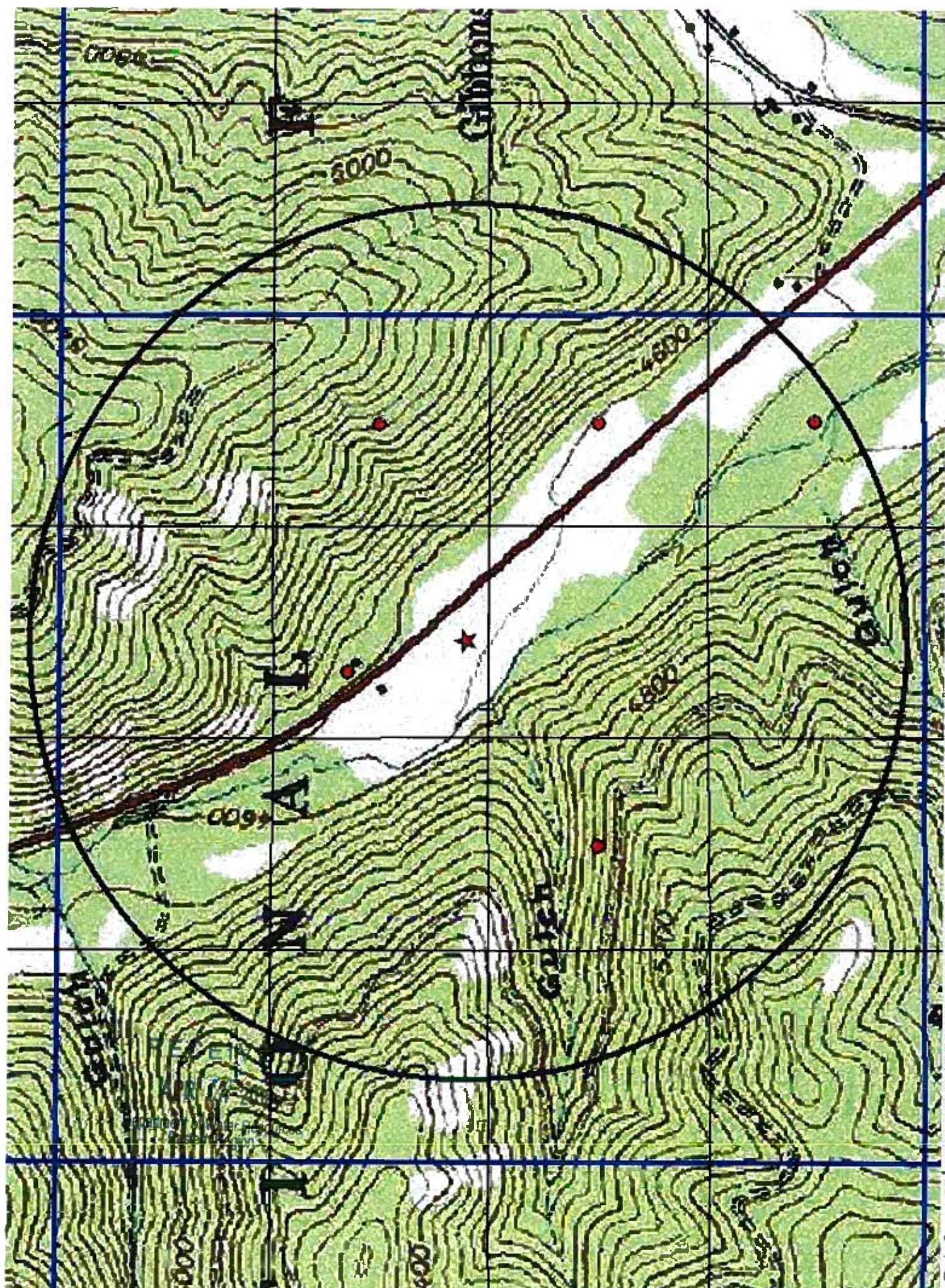
Yours truly,


Paul L. Arrington

PLA/jn

cc: Joseph & Shirley Hoy

Encs.



WARRANTY DEED

For Value Received

JAMES D. GRAY, a single man

the grantor, do hereby grant, bargain, sell and convey unto

JOSEPH E. HOY AND SHIRLEY R. HOY, husband and wife

whose current address is

303 SOUTH SAINT CHARLES
SALMON, ID 83467

the grantee's, the following described premises, in LEMHI County Idaho, to wit:

LOT EIGHT (8) OF LOST TRAIL LODGE SUBDIVISION, LEMHI COUNTY, IDAHO,
AS PLATTED AND RECORDED IN BOOK 4 OF PLATS, PAGE 6, NOVEMBER 8,
1973, IN THE OFFICE OF THE LEMHI COUNTY RECORDER

RECEIVED

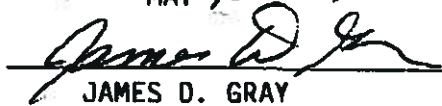
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Eastern Region

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's,
their heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee's, that he is the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: MAY 10 93


JAMES D. GRAY

STATE OF ~~IDAHO~~ ^{CALIFORNIA} COUNTY OF

On this 10 day of MAY, 19 93,
before me, a notary public in and for said State, personally
appeared

JAMES D. GRAY

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Residing at
Comm. Expires

Notary Public
CA ~~XXXXXX~~

State of Idaho)
County of Lemhi)

.. No. 218485

This instrument was filed for record at
the request of American Land Title
at 2:47 o'clock p m 5-12 19 93
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederholm

Ex-Officio Recorder

By  Deputy

Filed: 

State of California
County of RIVERSIDE

On 5-10-1993 before me, David L. Barnes, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared JAMES D. GARY
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

David L. Barnes
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT WARRANTY DEED

NUMBER OF PAGES 1 DATE OF DOCUMENT 5-10-1993

SIGNER(S) OTHER THAN NAMED ABOVE _____

RECEIVED
APR 14 2010
Department of Water Resources
Eastern Region