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MAR 03 2010
DEPARTMENT OF
WATER RESOURCES

March 2, 2010

Michele Edl
Associate Engineer
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Re: Application for Transfer 70024 and Application for Permit 63-31515

Dear Ms. Edl:

This letter is in response to your letter of January 29, 2010. Addressing the items in the order of your January 29 letter, the assignment for the Application for Permit and the assignment for the Transfer Application are included with this letter. Both have been fully executed per your request.

Your next request is for authorization to amend Application for Permit 63-31515 to be "as described in amended transfer 70024." I am not sure what that means but if it means amend the Application for Permit 63-31515 to be consistent with the application as described in IDWR's database and as advertised then please do so and this letter is approval of your request for authorization. If you intend to make other amendments please describe those proposed amendments with specificity so the applicant can make an informed decision regarding your request.

I am not sure it was the applicant's intention nor that it is necessary to have a PPU to describe irrigated acreage within a portion of a Government Lot but if that is IDWR's preferred method of recording the place of use for this water right, the applicant does not object to describing the irrigation place of use as a PPU.

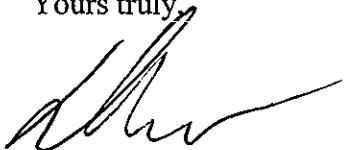
With regard to showing interconnectivity between the ponds and the river the applicant refers to the map titled "Map Depicting the Area in which Ground Water Shallower than 200 Feet Below Ground Surface is Tributary to the Boise River Upstream from Star Bridge" attached to and a part of Amended Application Processing No. 59 Memorandum dated February 22, 2008, map copy enclosed. This map shows all of Township 4N 1E to be inside the area in which ground water shallower than 200 feet has been determined to be tributary to the Boise River. Further, Sections 16 and 21 are west of and not included in the Boise Front GWMA. The applicant's ponds are less than 200 feet deep and the applicant believes this determination by the IDWR is sufficient evidence to allow the applicant's Boise River water to be diverted from ponds adjacent to the Boise River.

Michele Edl
March 2, 2010

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Please let me know if you have questions or need any additional information to complete the processing of these two applications. Thank you in advance for your assistance.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Shaw', with a long horizontal flourish extending to the right.

David B. Shaw

Enc.

cc: Jim Kiser

Map Depicting the Area in which Ground Water Shallower than 200 Feet Below Ground Surface is Tributary to the Boise River Upstream from Star Bridge.

