



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200; Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Interim Director

July 9, 2010

Zach Latham  
Brockway Engineering  
2016 N Washington St  
Suite 4  
Twin Falls, ID 83301

Dear Mr. Latham:

Please find enclosed an amended application for permit and amended transfer application that you recently filed in the name of Thomas and Elizabeth Tierney. The applications are being returned due to insufficient filing fees and a couple of additional items that need to be addressed before the applications can be processed.

The enclosed amended applications are an attempt to amend pending application for permit 71-10923 and pending transfer application # 74569. IDWR receipt record # S030725 indicates that initial filing fees totaling \$350.00 (Brockway Engineering check # 8513) were received in March of 2009. However, the same receipt record indicates that \$100.00 of this filing fee was refunded in July of 2009. It appears that \$250.00 of filing fee has been filed with IDWR. The current amended transfer application would require a \$100.00 filing fee, and the amended application for permit would require a \$370.00 filing fee, due to amending the diversion rate to 4.0 cfs. The \$100.00 and \$ 370.00 would total \$470.00. Accounting for the \$250.00 already filed, it appears that there is a shortage of \$220.00 in filing fees.

I am not exactly sure what the transfer application is trying to accomplish. It appears that it is attempting to convert an approximately 0.7 acre portion of ground water right 71-7169 to aesthetic use associated with the pond (actually diverted into the pond). The application indicates that a point of diversion change will occur and an existing well will be used, but there is no groundwater diversion (well) location identified on the map that accompanied the application.

As you are aware, the USFS previously expressed concerns with this proposal and pending applications and we indicated that the applications would be placed on hold until these issues have been resolved. There is no indication that these issues have been resolved.

There also appears to be some items missing from the additional information that augments applications for permit in the Salmon River drainage.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE  
Water Resource Engineer

Enclosures