



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

December 11, 2009

CALDWELL SCHOOL DISTRICT #132
C/O LORI GRAVES
SPF WATER ENGINEERING LLC
300 E MALLARD DR STE 350
BOISE ID 83706

Re: Application for Permit No. 63-33301

Dear Lori:

The above referenced application will be expedited for legal notice as requested. While that occurs, additional information will be needed before the Idaho Department of Water Resources (IDWR) can issue a decision for the application.

For various reasons, IDWR typically does not approve primary ground water irrigation for land already irrigated by surface water rights. An approval might be possible based on the following two items.

1) Exclusion from Pioneer Irrigation District (PID) – Ground water replacement of PID water might be possible following an approved exclusion issued by PID based on unreliable and/or unavailable delivery of water by PID to the proposed place of use. Please provide a copy of the PID decision when it is available.

2) Dixie Drain Right No. 63-4614 – This right was recently decreed for irrigation of the proposed site. Aerial photos indicate recent irrigation of that land, presumably by this right. That information suggests the right is adequate to cover the irrigation proposed in the new application. The application indicates Dixie Drain has high sediment content, preventing successful completion of the project.

Please provide a more detailed explanation in that regard. This should include some type of cost/benefit analysis showing why continued irrigation from Dixie Drain is not feasible over a reasonable period of time (years?).

Assuming protests are not filed against the application, it might be approvable based on your response to the above items. The application to lease right 63-4614 to the Water Supply Bank has been forwarded to the

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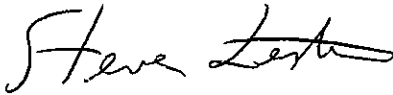
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IDWR State Office for follow up. I imagine the water bank application will depend on the outcome of application 63-33301.

Please submit the requested information while application processing continues. The applicant may seek additional time to provide the information by making a written request to interrupt processing for up to six months. A response including the requested information, or a request for more time to seek the information, must be received within sixty (60) days. The application will be voided without a timely written reply.

Please let me know if you need more information. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" and last name "Lester" clearly distinguishable.

Steve Lester

Water Rights Supervisor

Copy: Aaron Marshall, IDWR State Office