



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380**

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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

January 6, 2010

Mark Newcomb  
251 E 200 S  
Rupert, ID 83350

RE: App For Transfer 76051

Dear Mark;

While reviewing your application, it has been discovered that the points of diversion for this farm have not been described correctly. The well in Sec. 7 that you described as being abandoned is still in use, while a well in Sec. 8 that you described as still being used has been abandoned. A well in Sec. 8 that is still being used was not mentioned in the transfer. Brian Higgs is familiar with this system, and has confirmed how it was used last season. Not describing the system correctly could leave you open to a Notice of Violation and possible fine, which we certainly would not want to do by just approving the existing transfer.

To deal with this issue, I have prepared a amended application for your review. If the application is acceptable, it needs to be signed by you and your wife before being returned to this office by February 5 for re-advertising. A \$50 processing fee is due with the application. We may have to reject your original application if you do not respond by the above date.

Regards,

James E. Stanton  
Sr. Water Resource Agent