



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

October 27, 2009

COPY

Ark Properties, LLC
c/o SPF Water Engineering, LLC
Attn: Lori Graves
300 E Mallard Dr. Ste 350
Boise, ID 83706

Re: Application for Transfer No. 75265

Dear Lori:

This office received the application for transfer to change a water right referenced above. Upon review of the application, there are areas of the application that require clarification and/or completion. Please submit an amended application and additional information to allow for further processing.

Please submit an amended application to address the following:

- Part 1 A item no. 1 indicates the application proposes to change the point of diversion and add diversion point(s) (PD). However, Part 1 B item no. 4 was left blank. Please submit an amended application to clarify the applicant's intent regarding the PDs of the rights proposed for transfer.
- The map submitted with the application is labeled as T05N R09E and T04N R09E which appears to be in error. The PDs and place of use (PU) for the rights involved are located in T04S and T05S of R09E. Additionally, rights 61-328 and 61-10578 authorize two PDs in the NW SE Sec 32 T04S R09E. Only one dot appears on the map indicating the PD(s) for these rights. Please submit an amended map verifying the correct location for the water right elements as proposed for transfer for each of the rights.

Please submit additional information to address the following:

- Describe in detail how the diversion system is proposed to be integrated to allow for diversion of water from all PDs to reach all lands within the proposed PPU. Specifically, describe how the system will be constructed in a manner allowing water from the lower PDs of right 61-11807 be diverted to the portion of the proposed PPU up hill from the PDs.

Please submit an amended application along with the additional information requested to allow for further processing of this application, if the applicant wishes to proceed. Your response, or a request for more time to make your response, must be received within 30 days from the date of this mailing. The application will be rejected without a timely written reply.

Ark Properties, LLC
October 27, 2009
Page 2 of 2

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Angela M. Grimm', with a large, stylized flourish extending to the right.

Angela M. Grimm
Water Resource Agent, Sr.