



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 16, 2009

JAM EXPLORATION LLC
PO BOX 8890
KETCHUM, ID 83340

Dear Applicant(s):

The Department of Water Resources has reviewed your application for transfer (75950) which proposes to change the Place of Use for water right 34-14104. As part of the review process, IDWR investigates to determine whether the water right(s) to be transferred are subject to forfeiture. According to Idaho 42-222 (2) forfeiture is defined as:

"All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter...."

IDWR has determined that the evidence of beneficial use you submitted for water right 34-14104 under Transfer 75950 is insufficient and does not show water right 34-14104 being applied to beneficial use for which it was decreed for. In order to avoid forfeiture of water right 34-14104 you must submit more evidence proving the water right was beneficially used to the current land it was decreed to, or you may withdraw transfer 75950 and resume the use of the water right at its current location.

Please feel free to contact this office if you have any questions.

Sincerely,

Blake Jordan
Sr. Water Resource Agent

CC: Lance Rosenkrance