



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 7, 2001

TAMARACK ENERGY PARTNERSHIP
PO BOX H
NEW MEADOWS ID 83654

Re: Application for Transfer for Water Right License No. 67-7598

Dear Sir:

The above referenced transfer application is being processed by this office. The transfer application proposes to correct the location of the existing license and add a second well to the water right. Transfer approval will allow a drilling permit to be approved for the second well. Enclosed is an Application for Drilling Permit to be submitted to this office with a \$200 fee upon receipt of an approved transfer.

Several items need attention to successfully complete the transfer process as outlined in this letter.

9/13/01 ✓ 1. Applicant/Owner name – The license and its supporting adjudication claim are in the name of Tamarack Energy. Tamarack Energy Partnership filed the transfer. Is the name difference due to a *change in the business name* or is it due to a *change in ownership from one business entity to another*? Please clarify the relationship between these two names. If Tamarack Energy changed into a different business entity, please document the ownership change (deed and/or other pertinent material) from the water right owner of record to the current entity. Enclosed is a copy of a document from adjudication claim no. A78-7274 (Tamarack Mills, LLC) that might help in this situation.

12/17/01 ✓ 2. Ownership at licensed site – The license apparently describes the wrong property. The license is appurtenant to land in SESW Section 30. Please identify the landowner(s) in the licensed forty-acre tract and provide written acknowledgment from the landowner(s) that the license has not been used in the location described by the water right.

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12/17/01 ✓ 3. Beneficial Use – Please provide evidence of beneficial use of the license to show that up to .70 cubic feet per second have been used in the most recent five year period (1996-2000). Any measurement records or other data would be helpful. If data are not available, an affidavit from someone with personal knowledge of the well use will suffice. Please explain why the well has not been fully utilized if that is the case. Your supporting information will be a defense against forfeiture of any portion of the license.

4. Clarification of wells – Three ground water rights are found at the mill but the water right records are confusing. Your existing ground water rights in Section 30 are listed below, and copies of water right and adjudication data are enclosed for your files.

- Pending ...
10/9/01 Email
12/18/01 RE-request
✓ OK 12/19/01
- License No. 67-7274 describes a well in NWNW.
 - License No. 67-7598 describes a well in SESW but the transfer corrects the well location to SENW and proposes a second well in SENW.
 - Permit No. 67-8037 lists an existing well in SWNW. The existing well is noted as the same well used in 67-7274 although the latter record describes the NWNW. The permit includes a proposed well also to be located in SWNW. An adjudication has not been filed and is not required for the permit.

Please identify all the existing wells at the mill site and note their locations to the correct ¼ - ¼ section. Confirm the proposed well site in Permit No. 67-8037. Be sure to specify if any wells included in the transfer application for 67-7598 also serve either of the other water rights. Corrections to other water rights can be handled in a separate process after the current transfer application is resolved if necessary.

Please submit the above requested information within thirty (30) days of the date of this letter. If the information is not timely submitted, the application will be removed from the records of this agency. Thank you for your attention to these matters, and please do not hesitate to contact me at 208-334-2190 if I can provide any help.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosures