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AUG 10 2009

WATER RESOURCES
WESTERN REGION

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 55-13885 IN THE
NAME OF THUNDER MOUNTAIN
RESOURCES, INC.

**THUNDER MOUNTAIN RESOURCES'S
PETITION FOR RECONSIDERATION**

Thunder Mountain Resources, Inc. ("Thunder Mountain"), through its attorneys Givens Pursley LLP, hereby petitions for reconsideration of the Idaho Department of Water Resources' ("Department") July 27, 2009, Preliminary Order approving Application for Permit Number 55-13885 ("Preliminary Permit"). The reason for this Petition is that the legal descriptions for the points of diversion listed in the Preliminary Permit are not correct.

In its Application for Permit, Thunder Mountain listed "Springs" as the water source and proposed a total of two points of diversion in two separate 40-acre tracts—one in the NENE of Section 9 and one in SWSW of Section 3, T8S, R5W. The Preliminary Permit, on the other hand, describes points of diversion located in two separate 10-acre tracts—one in the NENENE

of Section 9 and one in the SWSWSW of Section 3.¹ Presumably, the Department determined the 10-acre tract locations by looking at the map included with the Application. Unfortunately, the map was intended to depict the locations of the proposed point of diversions by 40-acre tract and is not accurate to the 10-acre tract level. The result is that the 10-acre tracts listed in the Preliminary Permit are not correct.

Thunder Mountain requests the Department correct this discrepancy by amending the Preliminary Permit as follows:

1. describe one point of diversion in NESWSW of Section 3, T8S, R5W; and
2. describe a second point of diversion in SWNENE of Section 9, T8S, R5W.

Respectfully submitted this 10th day of August, 2009.

GIVENS PURSLEY LLP

A handwritten signature in black ink, appearing to read "Michael P. Lawrence", is written over a horizontal line.

Michael P. Lawrence

Attorneys for Thunder Mountain Resources, Inc.

¹ According to IDWR Water Appropriation Rule 35.03.b.iii, Thunder Mountain's Application for Permit should have identified the locations of the points of diversion by 10-acre tract because the source is "springs." IDAPA 37.03.08.035.03.b.iii.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August 2009, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

_____ U.S. Mail
_____ Facsimile
_____ Overnight Mail
 X Hand Delivery
_____ E-mail



Michael P. Lawrence