



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

July 13, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BROCKWAY ENGINEERING- Greg Sullivan

2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301



RE: Application for Transfer KBCP LLC

Dear Applicant(s):

The Department of Water Resources has received your application for transfer. Preliminary review of the application indicates that it cannot be accepted for processing. We are returning your application to allow you to complete the necessary items. The required information is described below.

The Proposed Place of Use. Eastern Region does not process transfer applications based on large permissible places of use. Further we have just completed a transfer on this property/ system. When there are other existing water rights and different points of diversion, those need to be a part of the application.

Your ESPA analysis is not sufficient. Transfer 75147 was not approved, was a one time agreement. It set no policy in place for future transfers. The Director that made that agreement is no longer with IDWR. Eastern Region has no authority to accept transfers based on this one time agreement.

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

Sincerely,

Dave Carlson
Eastern Region - IDWR