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July 20, 2009

RECEIVED
JUL 20 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

VIA HAND DELIVERY & EMAIL

Mr. Gary Spackman
IDWR – Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

Re: Dry Lot LLC Amended Applications (Permit #37-22252 / Transfer #74449)

Dear Gary:

Please find enclosed the following for filing in the above-referenced matter:

1) *Amended Application for Permit*
2) *Amended Application for Transfer*
3) *Evaluation of the Impact of the Proposed Dry Lot, LLC, Water Right Applications Using a Big Wood River Aquifer Groundwater Model* (Brockway Engineering)
4) *Amended Water Rights Use Agreement* (Dry Lot LLC / Big Wood Canal Company)

The amendment reflects a reduction in irrigated acreage associated with the applications filed on February 4, 2009 (reduced from 39.6 to 27.5 acres). The model scenario report (item #3 above) has been updated as well to evaluate the reduced acreage.

Finally, I have attached the *Amended Water Rights Use Agreement* entered into between Dry Lot and the Big Wood Canal Company. Staff that are evaluating the model as directed in the July 10, 2009 *Request for Staff Memorandum* should be made aware of the additional mitigation provided by Dry Lot pursuant to the agreement (0.50 cfs instream in the Big Wood River) as described in the Brockway Engineering *Narrative in Support of Water Right Permit, Transfer and Mitigation Plan for Irrigation* accompanying the applications.

Consistent with the amendment filed in February, we presume that with this additional reduction in proposed water use and irrigated acreage that IDWR will not require any republication of these applications.

Please contact me at 733-0700 if you have any questions or need any additional information. Thank you for your attention to this matter.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP

Travis L. Thompson

cc: Woody Friedlander
Dana Hofstetter