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DEPT. OF WATER RESOURCES
SOUTHERN REGION

February 6, 2009

Allen Merritt
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

Re: Second Version of Amended Permissible Place of Use Delineation –
Roth Investments LLC

Dear Mr. Merritt,

Attached is yet another map showing the location of the amended permissible place of use (PPU) for Roth Investments LLC transfer # ~~75913~~ ⁷⁵¹⁹¹. We have excluded the hard scape at the existing dairy on the property as you recommended during a 1/22/09 telephone call, as well as land owned by the State of Idaho adjacent to U.S. Highway 93.

As we have discussed in recent telephone conversations, we have modified the proposed PPU to exclude lands owned by the State of Idaho adjacent to U.S. Highway 93. The total PPU acreage has been reduced to 1108.1 acres, with an irrigation limit of 988.3 acres after transfer approval. Attached are the quitclaim deeds that describe the State of Idaho parcels.

Also attached is an amended page 1 and 2 of the Roth Investments LLC transfer # 75913 that reflect the acreage change in the PPU. Brockway Engineering (Zach Latham) has power of attorney to make changes to the transfer and has done so.

It is again my understanding that with this new map and PPU acreage description, processing of Roth Investments LLC's transfer application may continue. Please copy our office on all correspondence regarding this matter. Thank you for your assistance on this matter and if you have questions or comments, please don't hesitate to call.

Regards,

Zach Latham, M.S., Hydrologist

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Attachments

Cc: Donna Roth Habersetzer