



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

January 29, 2009

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

RECEIVED

JAN 29 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Amended Permissible Place of Use Delineation -- Roth Investments LLC

Dear Mr. Merritt,

Attached is a map showing the location of the amended permissible place of use (PPU) for Roth Investments LLC transfer # ~~75913~~. We have excluded the hard scape at the existing dairy on the property as you recommended during a 1/22/09 telephone call.

27591

You had indicated in the same telephone call, the need to modify the proposed PPU to exclude lands owned by the State of Idaho adjacent to U.S. Highway 93. A warranty deed (attached) from Jerome County shows no such lands owned by the State of Idaho, and therefore the PPU was not modified to exclude these lands. The attached warranty deed is certified by the Jerome County Recorder as the most recent deed for the property.

Also attached is an amended page 1 of the Roth Investments LLC transfer # 75913 that reflects 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 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