



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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January 30, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Catherine S. Dawson, Trustee
Catherine S. Dawson Revocable Trust
526 Mall Dr
Schaumburg, IL 60173

Dear Ms. Dawson:

A recent review of pending water right applications in our office revealed that you have an unresolved pending transfer application, # 74716, filed with our Department. The application was originally submitted by Brockway Engineering in January of 2008 and seeks to change the point of diversion for a water right, 37-276F, from the Big Wood River to an existing well on property located north of Ketchum, Idaho.

As indicated in previous correspondence to you &/or Brockway Engineering there are a couple of items that needed to be addressed in order for the Department to process the application. In particular, the application did not include an analysis showing that the two sources (Big Wood River and ground water) have a direct and immediate hydraulic connection (at least 50 percent depletion in original source from depletion at the proposed point of diversion in one day). In addition, there appears to be some potential unresolved ownership &/or overlap issues with other water rights on the property involved with the transfer.

The Department will hold processing of your application for 30 days to allow for the submittal of the information necessary to process transfer application # 74716. After that time, if adequate information is not received, the Department will initiate the issuance of an order rejecting transfer application # 74716, since the Department cannot ascertain that the change in water use proposed by transfer application # 74716 will not result in injury to other water rights, if the applicant has authority to file the application, and if the change is consistent with the conservation of water resources within the State of Idaho.

As an alternative, you can withdraw pending transfer application, # 74716 by submitting the enclosed form, completed with a notarized signature, to our office. Including a written request, will allow us to initiate a refund of the \$100.00 filing fee to Brockway Engineering (paid via Brockway Engineering check # 7644 per IDWR receipt # S029913).

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosure

cc: Charles G. Brockway – Brockway Engineering