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January 14, 2009

Allen Merritt
Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls ID 83301-3380

Re: Application for Permit No. 37-22385
Application for Transfer No. 73969 (Rohe)

RECEIVED
JAN 15 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Allen:

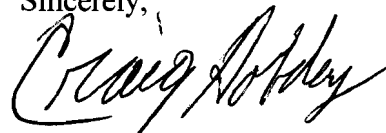
I have been discussing the above related matters with Steve Fisher on behalf of Mr. Rohe. Big Wood Canal Company is concerned with Water Right No. 37-22385 for the following reasons.

1. It appears to have a diversion rate of .2 AFA (acre feet annually). It has always been my understanding that diversion rates were measured in inches and cfs and volume was measured in acre feet.
2. The period of use is from January 1 to December 31.
3. The beneficial use is listed as recreation.

From my conversation with Mr. Fisher everything is going to be used for irrigation. Therefore if the Department could explain why they even need this water right it would be beneficial. It seems to me the Transfer would take care of their irrigation needs and this "storage" right is superfluous.

Any help you can give in this regard would be greatly appreciated.

Sincerely,



Craig D. Hobdey

CDH:dm
c: Steve Fisher