

January 30, 2009

Charles G. Brockway, P.E.
Brockway Engineering
2016 North Washington St. Suite 4
Twin Falls, Idaho 83301

Re: Application for Permit – Croy Canyon Ranch Foundation

Dear Mr. Brockway:

You recently submitted an application for permit in the name of Croy Canyon Ranch Foundation seeking to appropriate groundwater for a proposed elderly care facility in the Croy Creek valley. Preliminary review of the application indicates that it cannot be accepted for processing. We are returning the application and filing fee (Brockway Engineering check # 8428) to allow you to address the items described below.

The description of the point of diversions and place of use location does not match the map provided which also needs to identify the township and range. The area indicated on the map appears to be located in Township 2N, **Range 18E**, Section 17, but the application identifies the points of diversion and place of use in Township 2N, **Range 17E**, Section 17.

If the applicant is a corporation, municipality, or partnership, the person signing the application must be an officer or elected official of the corporation or municipality and must show the position below the signature. The applicant must submit a list of the corporate or partnership officers, directors and partners and corresponding addresses to the Department with the application.

Page 2
Brockway Engineering

A brief review of the water demand estimation calculations and the site plan map that was included with the application raised some potential issues that need to be clarified. Part of the water demand estimation calculations appear to be based on "24 cottages" and the irrigation demand calculation is apparently based on potentially ½ acre per cottage. However, it is not apparent on the site map where these "24 cottages" are located, or even if there are "24 cottages". An e-mail dated October 16, 2008 from Jeff Peppersack, indicates that up to ½ acre of irrigation can be allowed per unit as long as each unit includes a defined area for the yard/garden. The site map does not clearly indicate these "defined areas". Note that the October 16, 2008 e-mail refers to parcels in a mobile home park. Also the site plan identifies areas of future expansions and it is not entirely clear if these are included on the application or the water demand estimation(s).

The Department cannot process the applications, until the issues identified above are addressed. If you have any questions, or need any further assistance, feel free to contact our office at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Benny Walker". The signature is written in a cursive, flowing style.

Benny Walker
Water Resource Agent

Enclosure

Cc: Croy Canyon Ranch Foundation