



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

September 16, 2008

ATTN JIM CARRIE
INTERMOUNTAIN DEVELOPMENT INC
PO BOX 624
MTN HOME ID 83647

Re: Applications for Transfer Nos. 73812, 73813, 73814 and 73815 for Water Right No. 61-7048

Dear Mr. Carrie:

Your company filed the above referenced transfer applications to split and relocate water right no. 61-7048 to the Pheasant Run Subdivision. The existing and proposed use sites are within the Mtn. Home Ground Water Management Area (GWMA). The GWMA was established under Idaho law by the Idaho Department of Water Resources (IDWR) in 1982 due to declining water levels in the regional aquifer. That situation has not improved since then.

I understand you have discussed the applications with Cynthia Bridge Clark, formerly of this office but now re-assigned to another IDWR office. Her notes summarized your discussion about the validity of the water right proposed for transfer.

The right was decreed and therefore ^{was} valid in 2000. The applications were filed in April 2006 and April 2007. Water rights remain valid and are protected against forfeiture if beneficially used at least once each five consecutive years. IDWR cannot confirm beneficial use of the right during the 2001 through 2005 irrigation seasons. The right would be considered forfeited without this confirmation for that time period. ^{typus -}

Please submit information confirming beneficial use of water right 61-7048 from 2001 through 2005 for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing for up to six months. Your written response including the requested information, or a request for more time to seek the information, must be received within sixty (60) days of the date of this letter.

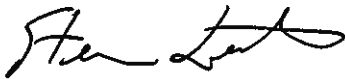
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Alternately, you may withdraw the transfer applications with the enclosed form. Application fees will be refunded for withdrawn applications. A determination of forfeiture of the water right would not be made for withdrawn applications. This might preserve your ability to protect and use the water right in the future based on favorable circumstances.

Without a timely reply, IDWR will issue a preliminary order to reject the applications. Application fees will not be refunded for rejected applications. Rejected applications may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", with a stylized flourish at the end.

Steve Lester
Water Rights Supervisor

Enclosure