



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 2, 2008

QUEENS CROWN RANCH
ATTN: JOHN D. FLOOD
19249 HWY 20
PICABO, ID 83348

RE: 2nd Notice Regarding Changes to the Conditional Language of Water Right 37-7014

Mr. Flood,

On August 21, 2008 the Idaho Department of Water Resources (the Department) issued you a letter with attachments regarding condition number seven on water right (WR) 37-7014, which incorrectly limited the combined use of water rights 37-7014, 37-2649A, and 37-2649B to 7.26 cfs. I have included a copy of our previous letter and attachments for your review. We have yet to receive any response from you regarding this matter.

IDWR would like to update water right license 37-07014 to reflect the corrected combined use limitation value of 7.44 cfs, a change which would benefit all water users of the Lucke Well. If this update is made timely, then IDWR can similarly update its' recommendation of the same right with the Snake River Basin Adjudication District Court. If the updates are not made, then the total rate of diversion under all three rights is at risk to be permanently restricted to the lower amount. We ask that you reply to us in writing within the next 14 days regarding your consent to the above described modifications to your water right.

If you have any questions regarding this matter please contact me by phone at (208) 287-4914 or by email at mathew.weaver@idwr.idaho.gov.

Respectfully,

Mathew Weaver, PE
Staff Engineer

Enclosure

Cc: Travis L. Thompson, Barker Rosholt & Simpson LLP