



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTTILL, JR.
Director

September 4, 2008

SPF WATER ENGINEERING
C/O ROXANNE BROWN
600 E RIVER PARK LANE
SUITE 105
BOISE ID 83706

Re: Application for Transfer No. 73772 for Bruce and Bruce LLC

Dear Roxanne:

The Idaho Department of Water Resources (IDWR) is currently reviewing the above referenced application for transfer to change a water right. Additional information is needed to evaluate and process the application.

An analysis of the overlapping water rights, 65-2366A and 65-3402, revealed that when combined with 65-2614 the total maximum amount to be irrigated is 34 acres. If right 65-2614 is modified to include additional acres outside the original place of use without changing all the rights for the same use, this may cause enlargement under all three rights involved. Please provide an explanation of how enlargement will be avoided. If the question of enlargement is sufficiently resolved, IDWR will add the overlapping rights to the transfer as associated rights and condition all three rights to a combined maximum of 34 irrigated acres. Alternatively, all three rights could be changed to the same permissible place of use to resolve the problem. Other conditions may also be applied to limit the combined use of these stacked rights depending on the explanation provided.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested information, or a request for more time to seek the information, must be received within thirty (30) days of the date of this letter.

Please contact me at 208-287-4944 or at cherie.padilla@idwr.idaho.gov if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Cherie Padilla". The signature is written in dark ink and is positioned below the word "Sincerely,".

Cherie Padilla
Water Resource Agent
Water Allocation Bureau