



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 27, 2008

Charles E. Brockway
Brockway Engineering, PLLC
2016 North Washington St
Suite 4
Twin Falls, ID 83301

RE: Dry Lot LLC Application for permit and transfer

Dear Chuck:

Our office received the amended applications last Friday. On review the application for permit still proposes more than 1 miners inch per acre diversion from groundwater for irrigation. As we have discussed IDWR cannot approve the application for permit unless justification for the excess diversion rate is provided. Although the permit is predicated or mitigated by providing recharge via the transfer of a right historically used for irrigation at a rate exceeding 1 miners inch per acre, IDWR is still bound by Section 42-202 (6) of the Idaho Code.

Please submit the requested additional information to justify the excess diversion rate within 30 or amend the application for permit to no more than 1 miners inch per acres. If the additional information is not received or the permit amended within 30 days the application will be rejected.

If you have questions, please feel free to contact this office.

Respectfully,

Allen Merritt, PE
Southern Region Manager