



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 4, 2007

SPF WATER ENGINEERING LLC
ATTN CHRISTIAN R PETRICH
600 EAST RIVER PARK LANE SUITE 105
BOISE IDAHO 83706

RE: MITIGATION PLAN FOR BSU PERMIT 63-32421

Dear Mr. Petrich:

Our office received your letter dated 6/20/2007 with your argument that the Boise State University (BSU) permit was a non-consumptive use. I forwarded this letter to our technical division for review. A copy of their response has been included with this letter.

The review of your data and current data available to our technical staff reveals that the degree of hydraulic communication between the injection point and the water-bearing zone for this permit are minimal resulting in a lowering of the static water levels in existing wells unless mitigated.

Considering the information available, the department has determined that this is a consumptive use. We will not be able to continue processing this application unless the water being used for this proposal is fully mitigated. I will hold this application in my office until 10/4/2007 to allow your client the opportunity to provide an acceptable mitigation plan. If we do not receive a mitigation plan by that date, we will place this application in the permanent hold drawer until new water rights can be processed, or a proper mitigation plan has been received.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Enclosure