



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

August 28, 2007

R A SYMMS
14068 SUNNY SLOPE RD
CALDWELL ID 83607

Re: Application for Permit No. 2-10334

Dear Mr. Symms:

Your August 13, 2007 letter requested expedited processing of the above referenced application to irrigate an additional 54.5 acres with Snake River water. Although your application is relatively new, it involves an area of few applications. The Idaho Department of Water Resources (IDWR) can expedite your proposal without causing earlier in time applications to be delayed.

In order for IDWR to process your application, please respond to the following items at your earliest convenience.

Applicant Name – The application is in your name and the name of Webb LLP. Applications in multiple names should be joined by “and”, “or”, or “and/or” but not by a forward slash. The first choice requires signatures on the application by all parties, while the other two choices only require a signature from one of the parties. Additionally, a business entity applicant must provide the names and titles of the directors or officers. Alternately, the business entity can provide a current and valid business entity registration number on file with the Idaho Secretary of State. Webb LLP is not a registered business entity in Idaho at this time.

Point of Diversion – You stated the pump has been in place since 1967. IDWR records list water rights with points of diversion from that location in the name of Van Es, Loucks and Mertz. Please confirm who uses the existing pump and under what water rights those uses occur. Also see the “land ownership” comment in this letter.

Total Amount of Water – The application proposes 1.1 cfs and 275 acre-feet of water. The acre-feet amount should be deleted unless you plan to build a storage facility. Also see the “place of use” comment in this letter.

Time Required – Application item 7 asks for the amount of time to develop the system and beneficially use the water. A response from 1 to 5 years should be listed (1, 2, 3, 4 or 5).

Place of Use – The acres in question apparently fall within the service area of Gem Irrigation District. That district is authorized to provide 0.0158 cfs/acre from the Snake River. IDWR cannot approve a new right from the same source in excess of the duty of water (0.02 cfs/acre). If the land is served by the district, your application should be limited to 0.0042 cfs/acre for a total of 0.23 cfs. That adjusted total should be entered in application items 4 and 5. A refund of \$40 should be issued by IDWR in that case.

Please explain why you do not have water from Gem Irrigation District if that is the case. In that event, the application amount of 1.1 cfs is correct.

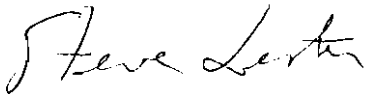
Land Ownership – The applicants are listed as the owner of the land at the point of diversion. How does that information relate to other owners listed under the “point of diversion” comment in this letter?

You can amend your application by completing and returning a fresh form labeled “amended.” I enclosed some information in that regard for your convenience. Additional payment is not required. Alternately, you can make an appointment with me to revise the original application available at this office.

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must be received within the next thirty (30) days. The application will be voided without a timely written reply.

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

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure