



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

June 11, 2007

GAIL MCGARRY
USDI BUREAU OF RECLAMATION
PACIFIC NORTHWEST REGION
1150 N CURTIS RD STE 100
BOISE ID 83706

HAND DELIVERED

Re: Water Right Applications for Wildlife Projects

Dear Ms. McGarry:

Last winter we discussed a group of applications for new water rights proposing surface water for wildlife projects in the lower portion of the Boise River system. This is an unusual situation due to the scope of the projects around Parma. The Idaho Department of Water Resources (IDWR) seeks **comments from your agency regarding the applications proposing to divert water from the Boise River.**

Ideally, IDWR would process all the applications simultaneously for comprehensive and efficient efforts in this regard. However, other constraints require IDWR to act at this time on the first group of the pending applications.

Four applications for Tree Top Ranches LP are being processed at this time. Two of the applications involve the Boise River, Applications 63-32465 and 63-32467. If your agency desires to file a protest against either or both of those applications, please note the June 25, 2007 protest deadline in the enclosed copy of the legal notice for the applications. If your agency does not want to protest the applications but has concerns about either of them, please provide written comments at your earliest convenience. Please see the enclosed information regarding the Tree Top Ranches applications for more details.

Copies of other applications filed by different owners are also enclosed. Most of the applications include complete information while some await further details from the applicant. IDWR will provide you with any additional information received for any of those Boise River applications as they are ready to process. IDWR will seek your comments on those applications when they are processed.

Water Right Applications for Wildlife Projects

June 11, 2007

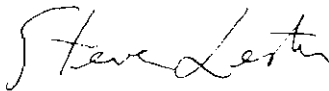
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IDWR anticipates that any applications approved to divert water from the Boise River for the area in question would include an appropriate condition of approval to protect storage releases from Lucky Peak Reservoir. An example of such a condition is found in approval of Permit 63-32066 (copy enclosed) in September 2005 as follows:

This right does not authorize the diversion and use of water released from Lucky Peak Reservoir for stream flow maintenance purposes in connection with Water Right 63-3618.

I hope we can consider individual impacts for any given project in addition to cumulative impacts for all the Boise River applications by this process. Please let me know if you have any questions about any of the enclosed information. Thank you for your help with this unprecedented situation in the Boise River area.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

Enclosure