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RECEIVED

MAY 23 2007

Department of Water Resources
Eastern Region

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May 22, 2007

Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

Re: Timberview Properties, LLC, Permit No. 25-14071 and Application No. 25-14194

Dear Ladies & Gentlemen:

Permit No. 25-14071 was issued to Timberview Properties, LLC, on November 21, 2005. Groundwater could be pumped for use in the subdivision so long as mitigation was furnished by diverting Progressive Irrigation District surface water from its canal into a pond where it seeps into the ground.

Application for Permit No. 25-14194 was recently filed, seeking to drill the third well for the subdivision, and to add an additional 140 homes to the 82 authorized under 25-14071 and 25-13884. All of this land is within the service area of the Progressive Irrigation District which has been cooperative in diverting surface water to be sunk in the pond for recharge purposes.

The pond was created in one of the subdivision lots near the canal, by excavating three to four feet into the gravel or alluvial material. The pond has worked well and would in fact sink substantially more water than the 55 acre feet diverted into it during the irrigation season pursuant to the conditions of Permit No. 25-14071.

Timberview was just contacted by the owner of some adjacent property which has, for several years, been used as a gravel pit. The gravel pit is much larger than the relatively small pond created by Timberview. The neighbor has offered to lease his entire gravel pit to Timberview for the same purpose. The gravel pit is close enough to a lateral of the Progressive Irrigation District that it could be used about as conveniently for the recharge effort as the smaller

pond. The change to the gravel pit would permit Timberview to place the top soil which was excavated for the small pond back into the pond and develop the lot for residential purposes.

We would appreciate your thoughts and comments on changing from the small pond to the large gravel pit for recharge under Permit No. 25-14071 and Application for Permit No. 25-14194. The gravel pit is located in the NWSW, Section 22, T3N., R38E. The small pond has been near the southwest corner of the S½NE¼, Section 21, T3N., R38E. A copy of a map which may be helpful is enclosed.

We will look forward to hearing from you as soon as it is convenient.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kent W. Foster".

Kent W. Foster