



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

DANA L HOFSTETTER
HOFSTETTER LAW OFFICE LLC
608 W FRANKLIN ST
BOISE, ID 83702

RE: Petition to Correct and Amend Licenses – 37-7268, 37-7454, 37-7602 and 37-8679

Dear Ms. Hofstetter:

The Department of Water Resources has reviewed the petition referenced above along with the water right files and other available information. The Department has concluded that correction of the priority date for license 37-7268 is warranted. In addition, the place-of-use, diversion rate (based on rate per acre) and approval conditions for each license should be adjusted to reflect the development during the authorized development period. However, the Department's estimates of diversion capacity for the licenses were based on the examiner's judgment and reasonable standards and cannot be characterized as errors in licensing.

During review of the places-of-use, the Department found that the irrigated acreage was developed differently than authorized under each permit. Before corrected licenses can be issued, the Department will require an amended permit in accordance with Section 42-211, *Idaho Code*. The enclosed Application for Amendment forms depict the elements of each water right as they will appear on each corrected license when it is issued. Please review the amendments carefully. If you concur with the information presented, please have them signed and return them with the \$50.00 filing fee as soon as possible. If you have not submitted a response within 30 days, the Department will assume you no longer wish to pursue the matters raised in your petition.

If you have any questions, please call me at 287-4948.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

Enclosures