



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2006

Kent W. Foster
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
P.O. Box 50130
Idaho Falls, ID 83405

RE: Water Right License No. 35-8852 of Idaho Fresh Pak, Inc.

Dear Kent:

I am responding to your letter dated April 24, 2006, in which you provided a strong basis for reviewing Water Right License No. 35-8852. You have provided sufficient detail for us to investigate the advisability of issuing an amended license for this water right. Accordingly, by this letter I am requesting Mr. Gary Spackman, our Water Allocation Section Bureau Chief, to oversee the conduct of this review.

That said, I want to ask you about the urgency of timing in this matter. As you are aware, we are making a big push to finalize the remaining Director's Reports in the SRBA, so much of our staff activity is focused on assisting in this effort. If it would not impact your clients too greatly I would propose placing this matter on call-up for October, 2006, a time when we will have additional staff working on water allocation matters. If this timing is not acceptable, please advise and provide additional information directly to Gary on timing requirements. If this timing is acceptable, you need not respond and this letter will provide the directive to our staff to review and take action on the matter at that time.

It is always a pleasure interfacing with you, Kent, and I look forward to more such opportunities in the future.

Sincerely,

David R. Tuthill, Jr., Ph.D., P.E.
Administrator, Water Management Division

cf: Gary Spackman, Roger Warner

Gary
Jeff
Please
calendar
for review.
Gary