



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

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August 16, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

SCOTT KING
SPF WATER ENGINEERING LLC
600 E RIVER PARK LN #105
BOISE ID 83706

RE: Application for Transfer of Right 63-10744 (Dave & Deb Jenkins)

Dear Scott:

We are currently reviewing the transfer application to change the point of diversion under Right 63-10744. Before proceeding, there is one item that needs to be addressed.

A condition of 63-10744 limits the diversion rate to 3.50 cfs in combination with right 63-3478. The transfer removes the point of diversion overlap with the older right, however, the limiting condition remains to be dealt with. In these instances where a limiting overlap condition exists and the later right is being removed from the overlap scenario, the rate under the transferred right is reduced to the amount that will avoid enlargement. In this case, 3.50 cfs minus 3.35 cfs under right 63-3478 leaves 0.15 cfs for right 63-10744. This reduced rate will still provide the licensed volume.

If this modification is not acceptable, please provide detailed information to address this issue. Please submit the additional information within thirty (30) days of the date of this letter to allow final evaluation of your transfer application to be completed. If we do not hear from you within the 30 day period, we will continue processing the transfer with the reduced rate explained above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Lester', is written over a horizontal line.

STEVE LESTER
Water Rights Supervisor