



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 14, 2005

Mr. Dick Clayton
P.O. Box 156
Swan Valley, ID 83449

SENT VIA FAX

Re: Transfer Application 71526

Dear Mr. Clayton,

This letter was prepared in order to spell out the necessary actions require for continued processing of your above referenced transfer application. The reason for the required actions is due to the overlapping rights from which your new right is a part of. The following changes to the overlapping rights will be required:

1. Right 23-48D. Remark #1 regarding quantity. Combined diversion rate of 2.23 will be REDUCED down to 2.19.
2. Right 23-48D. Remark #2 regarding Place of Use – Irrigation. The combined total acres will be REDUCED down to 109.7 acres.
3. Right 23-98D. Remark #1 regarding Place of Use – Irrigation. The combined total acres will be REDUCED down to 109.7 acres.
4. Right 23-16A. Remark #1 regarding quantity. Combined diversion rate of 2.23 will be REDUCED down to 2.19.
5. Right 23-16A. Remark #2 regarding Place of Use – Irrigation. The combined total acres will be REDUCED down to 109.7 acres.
6. Right 23-16A. Remark #5 regarding Place of Use – Irrigation. The limit will be REDUCED down to 85.5 acres.

As a courtesy, I have added the edited changes to the department's proof reports for your review and are included with this letter.

I require that permission and/or acknowledgement be given from the water right holders of 23-48D and 23-98D. The form of the permit or acknowledgement may be in the form of a signed letter.

Please call if I can be of assistance.

Sincerely,

W. Roger Warner

Water Right Supervisor – Eastern Region

Cc: Kent Foster

Enclosures: IDWR Proof Reports for water rights 23-16A, 23-48D, and 23-98D with highlighted edits.