



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 12, 2005

Mr. Jerry G. Blackburn
P.O. Box 41
Leadore, ID 83464

Subject: Application for Permit 74-15628

Dear Mr. Blackburn,

I have prepared this letter as a follow up to our telephone conversation that we had earlier today with yourself and Mr. Jordan Smith. During that conversation, we discussed the necessity of a mitigation plan and/or the possible need of a transfer. After our discussion, I reviewed the file and consulted with Mr. Shelley Keen in Boise IDWR. The result of this review is the following:

1. It is likely that a transfer will NOT be necessary.
2. We need additional information to complete the application process. I have included a printout of the topo map showing the location of your water right (yellow line) relative to the location of the proposed pond. I require that you draw in the area of the water right that will be dried up to compensate for the consumptive use of the pond (it would have to be about the same area needed for the pond).
3. Unless the pond fills with subwater, the initial filling of the pond will require that additional acreage be dried up to compensate for the filling of the pond. The consumptive use of the irrigated area needs to be used for calculating how much area needs to be dried up to that initial fill. Hopefully, your consultant can help in determining this amount.

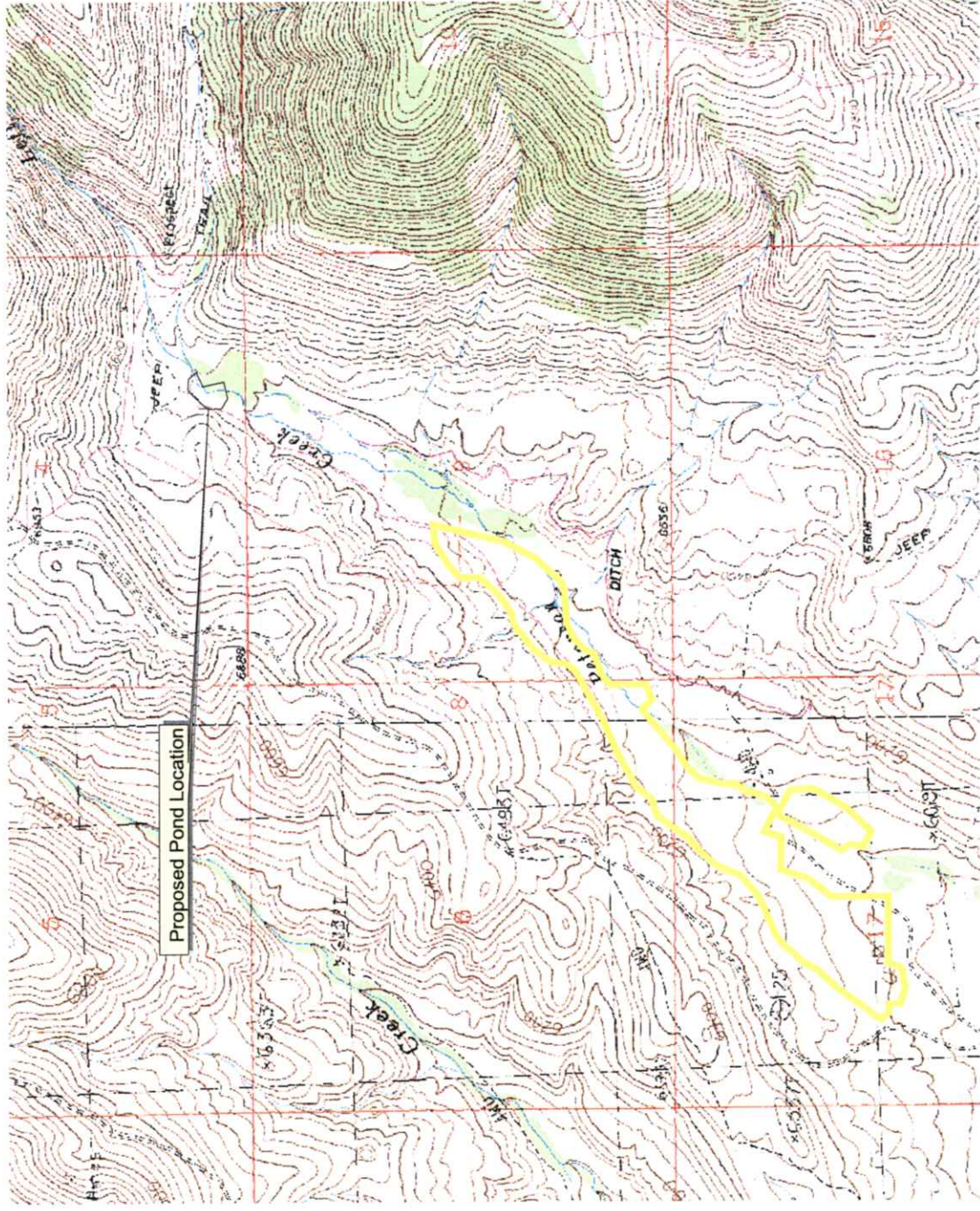
Please call if you have question. We look forward to receiving the additional information.

Sincerely,

W. Roger Warner
Water Rights Supervisor – Eastern Region

Enclosure: Topo Map to be drawn upon and returned.

Blackburn 74-15628



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