



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 8, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RINGERT CLARK
ATTN DANIEL V. STEENSON
PO BOX 2773
BOISE ID 83701

COPY

RE: APPLICATION FOR TRANSFER #71069, EUREKA WATER COMPANY

Dear Mr. Steenson:

This letter is in regard to transfer number 71069 filed by Eureka Water Company to supply mitigation for applications for permit 63-31134, 63-31135, and 63-31136. The transfer has been reviewed by the Regional Office and is currently being reviewed by our State Office staff. Our State Office staff discovered a couple of discrepancies that will need to be changed and clarified. An amendment of the transfer will not be necessary, since these changes will be for clarification purposes. However, we wanted to notify you as soon as possible to ensure these changes would be within the best interests of your client. The following changes will be made to the transfer:

- 1.) Water right 63-16383 completely overlaps water right 63-145; therefore, we cannot make a change to one of these rights without making a proportional change to the other right. Therefore, the water rights will be recommended as follows:

63-145 → Irrigation @ 33.16 cfs and Ground Water Recharge @ 0.15 cfs

63-16383 → Irrigation @ 2.31 cfs and Ground Water Recharge @ 0.01 cfs

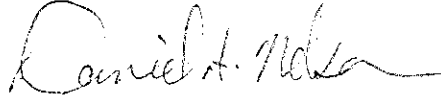
- 2.) The maps clearly show the proposed place of use for the Ground Water Recharge in section 20 as the NENE and SENE. However, the place of use table on page 1 of the transfer shows the place of use as being in the NENE and SWNE. It is obvious that this was done in error. We will correct the description in the SWNE to show the SENE.

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All of these changes can be accomplished internally without an amendment. However, we do want to give you the opportunity to disagree with these changes if you choose to do so. If you disagree with these changes, please contact me as soon as possible. Due to the time this transfer has already been in the process, I don't feel it would be prudent to delay processing any longer than necessary. It should take a few more weeks until the application is ready for advertising, so that should give your clients at least 14 days to respond if necessary. If no response is received, we will consider these changes to be appropriate, and continue with advertising when processing is complete.

If you have any questions or concerns please contact me at the above address.

Respectfully,

A handwritten signature in cursive script, appearing to read "Daniel A. Nelson".

Daniel A. Nelson
Sr. Water Right Agent

cc Michael Cramer