



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

30-May-1990

Lambert Produce Inc.  
Rt. 1 Box 44-A  
Oakley, ID 83346

Re: Application for amendment of permit 45-7379, Application for transfer of license 45-2579, Drilling permit 45-90-S-014

Gentlemen:

This office is currently processing the above referenced applications for amendment and transfer and has issued a drilling permit based on your assumption of all risk that the well may not be approved for use under these rights.

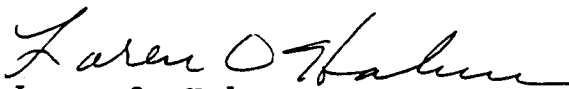
Please be advised that no diversion of water is authorized from the well under drilling permit No 45-90-S-014 until the department grants approval to use the well under a water right.

Regarding the application to amend permit 45-7379. This permit was issued in 1979, prior to the closure of the West Oakley Fan Critical Groundwater Area, for diversion of groundwater within that area. The application proposes to amend the permit to a location in the Oakley-Kenyon Critical Groundwater Area which was closed to groundwater appropriations in 1963. In my opinion, approval of the amendment will place an additional appropriative burden on groundwater in the Oakley-Kenyon area and will, therefore, be subject to denial due to injury to other water rights.

This office will hold the application for amendment for ten (10) days before forwarding it with a recommendation that it be denied to allow you time to consider whether to continue the application.

Please let me know if you have any questions regarding this matter.

Very Truly yours,

  
Loren O. Holmes, P. E.  
Southern Region Manager

cc: Laird Stone

45-7379