



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 20, 2005

DEBORAH NELSON
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701-2720

Re: Application for Transfer for Canyon County Water Company Ltd. (re "Jevin")

Dear Deb:

Enclosed is the first page from the above referenced matter we discussed earlier today. The transfer application proposes to mitigate shallow ground water ponds for the "Jevin site."

Due to some confusion on my part in our previous discussions and to evolving policies of the Idaho Department of Water Resources (IDWR), a better term than "mitigation" is recommended for non-irrigation use identified under Part 1, item B.1 in the application. The issues of existing surface water irrigation rights coupled with proposed new uses of associated shallow ground water ponds have been under considerable fluctuation as waterusers and IDWR work together to understand these scenarios. This sometimes leads to confusion, including for IDWR staff, in securing the necessary water rights protection for such new uses. I regret any resulting inconvenience caused by this confusion.

IDWR suggests the revision to list "ground water recharge" instead of "mitigation." This provides a more accurate description of the proposed new use of ditch water. This is strictly a semantic change and will not change the application in any substantive way. The applicant only needs to endorse the suggested revision by initialing and dating the top of the enclosed page. The revised page can be returned to Lori Graves at this office as soon as possible. Application processing will not be delayed by this minor but necessary semantic clarification.

Thank you for your help in working through this new world of "ditches and ponds." Please call Lori or me at 334-2190 if you need more information.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

Copy: Lori Graves, IDWR Western Region