



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 20, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SPF WATER ENGINEERING LLC
ATTN TERRY M SCANLAN
600 E RIVER PARK LANE STE 105
BOISE ID 83706

RE: APPLICATIONS FOR TRANSFER FOR WATER RIGHT 63-4949

Dear Mr. Scanlan:

Thank you so much for your quick response on supplying the needed information for the Jesus Christ of Latter-Day Saints' transfers on water right 63-4949. I reviewed the information and it satisfies the questions on many of the issues. However, the questions on priority date have still not been addressed.

I will need you or the church to submit some sort of proof that the well was in use on 1/1/1954 and what the flow of the well was. This water right is based on claims that water was used at that time and at that flow rate. Department personnel or court decree has never verified this water right. Therefore, we will need you or your client to supply some type of proof that the well used by 1/1/1954, and a pump curve and/or pumping analysis for the well that shows the rate of flow from the well. I have included a pamphlet that will guide you to acceptable proof of priority.

All of the other information that you submitted seems to be in order. The information supplied suggests the well was the primary source of irrigation for the property, and the map shows the lands irrigated. Once I receive the information mentioned above, I will discuss this water right with an adjudication agent to ensure the water right is valid. If the adjudication agent feels the water right can be recommended in the Snake River Basin Adjudication, I will begin processing the applications for transfer. Additional information may still be needed, but it does look as though you have answered most of the questions required for this transfer review.

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The Department will hold further processing of your application for 30 days to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", followed by a long horizontal flourish.

Daniel A. Nelson
Sr. Water Right Agent