



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 28, 2005

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE ID 83709-1657

RE: Water Right 35-9040

Dear Water Right Holder:

On January 6, 2005, the Department of Water Resources (IDWR) issued an order correcting the point of diversion location for Water Right License 35-9040. The order was a preliminary order issued by IDWR pursuant to §67-5243, *Idaho Code*. An amended water right license document was issued in connection with the preliminary order. IDWR did not receive any petitions for reconsideration of the preliminary order, and it became a final order 14 days after it was issued. Pursuant to Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01.760), IDWR can amend a final order any time before February 4, 2005, which is the expiration of the time for appeal to district court. Since the issuance of the preliminary order IDWR has identified clarifications that can be made to the place of use description on the amended water right license document issued in connection with the preliminary order. To make the clarifications, IDWR has issued the enclosed revision to the amended water right license document pursuant to Rule 760. IDWR does not propose to change the text of the order itself.

If you have questions, please contact me at (208) 287-4947.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

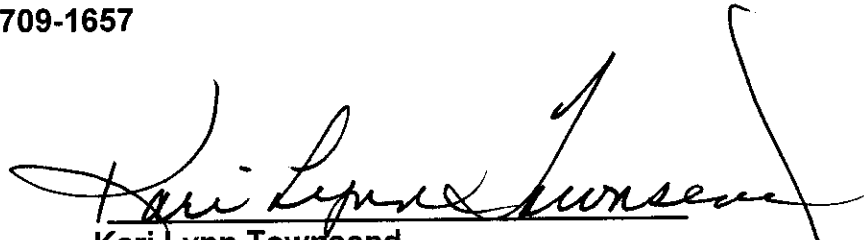
Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on the **28th** day of **January, 2005**, I mailed true and correct copies, postage prepaid, of the foregoing **Amended License** to the person(s) listed below:

Water Right No. 35-9040

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1387 S VINNELL WAY
BOISE ID 83709-1657**



**Kari Lynn Townsend
Secretary**