



FEB 17 2005

Department of Water Resources

CORPORATE HEADQUARTERS

February 16, 2005

Pamela Skaggs
Sr. Water Agent
State of Idaho
Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

Re: Amendment to IDWR Transfer No. 71741 (Basin 33).

Dear Ms. Skaggs:

An amendment is necessary to correct the total annual volume identified under the above referenced transfer application. A remark contained on the partial decrees entered in the Snake River Basin Adjudication ("SRBA") for water right nos 33-2119 and 33-2125 overstates the combined annual volume for these two water rights. Prior to the commencement of the SRBA, the volume for each right (individually) was licensed by the IDWR as follows:

- 1 Water Right 33-2119 = 1,512 acre feet per year
 - 2 Water Right 33-2125 = 1,668 acre feet per year
- Total = 3,180 acre feet per year

However, a remark contained on the SRBA decree entered for each right limits the total combined annual diversion volume to 3,759 acre feet. This remark results in overstating the combined annual volume available under these rights by 579 acre feet (3,759 acre feet - 3,180 acre feet = 579 acre feet)

In preparing the transfer application, I used the overstated flow limit contained in the decrees (3,759 acre feet) to arrive at the total annual volume to be transferred. Consequently, the total volume on the transfer application needs to be reduced by 579 acre feet to become consistent with the total volume available under water right nos 33-2119 and 33-2125. Please amend Part 1 B 2. of the above referenced transfer application to reduce the total annual volume being transferred from 10,507 acre feet to 9,928 acre feet (a reduction of 579 acre feet).

In response to your question about the diversion capacity of the well that is the subject of this transfer application we verified it is capable of producing up to 3,600 gallons per minute (8.02 cfs). Should this flow rate trigger an increase in the fee you require to continue processing this transfer application, please let me know and we will supply the additional amount.

Sincerely,

Vic Conrad
Land, Water & Asset Recovery