

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

February 21, 2003

John Frietag
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Picabo Municipal Permit & Water Rights

Dear John:

Enclosed are the documents which should allow further processing of the Picabo Water System municipal permit application. Please review the information included in this letter and the supporting documentation and contact me if you have any questions or comments.

Transfer Application (WR #37-11628)

The application for transfer has been submitted to transfer the existing stockwater right to the new well and the back-up well. I did confirm that the back-up well can supply water to the storage tank so it is included as a new POD under this right. No other changes are made under this right in the transfer application. A check in the amount of \$100.00 is included for this transfer application.

Transfer Application (WR #37-7455)

The application for transfer has been submitted for this right which is the original domestic right servicing the water system. As discussed, we have added the new well and back-up well as POD's for the right and removed the old well. Since the beneficial use of this water is for municipal uses, the nature of use has been changed to Municipal. Also, the POU has been changed to reflect the POU at full build-out of the system. A check in the amount of \$100.00 is included for this transfer application.

Amended Permit Application

The municipal permit application has been amended to include WR #37-7455 volumes and diversion rates. As such, I have reduced the requested diversion rates and volumes by the amounts listed under 37-7455. I have initialed these changes and submit the changed application and revised narrative. There has been some discussion concerning the two spring rights. These rights are not used in the system to comply with IDEQ regulations and are not part of this permit application or water right transfers.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
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PH.D., P.E.

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TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

I hope that the information included in this letter and supporting documentation will allow this to progress. Please contact me if you need additional information or have questions concerning the revised permit application or water right transfers. Thank you and have a great day.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Rau", with a horizontal line extending to the left.

Jeffrey S. Rau, P.E.

Attachment: Application for Transfer (37-11628)
Application for Transfer (37-7455)
Revised Municipal Permit Application & Narrative
Power of Attorney Form (37-7455 & 37-11628)

Cc: Nick Purdy – Picabo Livestock Company

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Nick Purdy - Picabo Livestock Company, hereby nominate and appoint Jeffrey S. Rau - Brockway Engineering as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to water right transfers before the Idaho Department of Water Resources for the following water right transactions:

Transfer Application(s) - Water Right(s) 37-7455 & 37-11628

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 1 day of March 2008.

Nick Purdy Picabo Livestock
Signature

Signature

State of Idaho

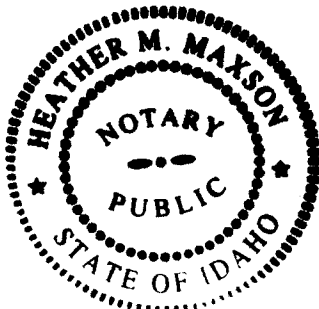
County of Twin Falls

ss.

On this 28th Day of February, 2008, before me, a Notary Public in and for said County and State, personally appeared Nick Purdy, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

S
E
A
L



Heather M. Maxson
Notary Public

In and for said State and County

2-24-09
My Commission Expires