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WATER RESOURCES
WESTERN REGION
November 10, 2004

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Application for Permit and Transfer for Lance Hess

Dear Dan:

In response to your letter dated August 31, 2004, please accept the following.

You asked about the listing of Fish Propagation as the Nature of Use. Mr. Hess indicated that the intended use would be better described as Recreation and Recreation Storage.

Also, Mr. Hess is planning three ponds. The west pond will have a surface area of 3.5 acres. The middle pond will have a surface area of 4.5 acres, and the east pond will be 2.5 acres for a total of 10.5 acres. Each pond will have an average depth of 10 feet. There will be no transfer of water between ponds.

As mentioned, the ponds will be excavated to an average depth of 10 feet, which will intercept ground water. The initial fill of the ponds will be by groundwater, but Mr. Hess indicated that he would maintain water levels by diverting a portion of his surface water to the ponds. Currently, there is a ditch coming onto his property from the west edge that supplies all of his irrigation demand. This ditch will be modified to allow water delivery to each pond. The amount of water diverted to the ponds will be no greater than what has historically been used for irrigation in the same acres.

I will submit a revised Application for Transfer to reflect these revisions. Specifically, please note the proposed Nature of Use will now read Recreation and Recreation Storage, and the transfer will keep the existing water right as one right with no split intended.

Thank you for your suggestions and review.

Regards,

Steven R. Hannula

cc: Lance Hess