



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 26, 2004

S BRYCE FARRIS
RINGERT CLARK CHARTERED LAWYERS
PO BOX 2773
BOISE ID 83701

RE: Application for Transfer of Water Right No. 63-30398, Idaho City/BLM

Dear Bryce:

I reviewed your July 6, 2004, letter regarding the transfer application to provide irrigation water to the Idaho City recreation site. The following revisions and/or additions to the application will facilitate processing and allow the water right to be shown in the name of BLM.

- 8/30/04
office
visit by
attorneys
- ✓ 1. Add ground water tributary to Mores Creek as a source.
 - ✓ 2. Add a second point of diversion to the proposed diversion site in SESE Section 26. One point will address ground water and the other point will address Mores Creek.
 - ✓ 3. Clarify Attachment #1 (narrative) to note a primary method to divert tributary ground water but a secondary method from the creek if necessary (water right flexibility, administration of rights by source).
 - ✓ 4. Clarify Attachment #3 (map) to show two diversion points in the same location.
 - ✓ 5. Clarify BLM ownership of the proposed place of use. Your recent letter included a copy of an agreement between BLM and the City. A BLM document including the following points will augment the agreement for the transfer process:
 - BLM mailing address for the proposed water right approval (BLM state office and/or BLM regional office?)
 - ✓ Confirmation that the United States owns the proposed place of use described by the transfer application and by lease IDI-31768. This could
- clarifying w/
BLM
9/7 ms

S. Bryce Farris

July 26, 2004

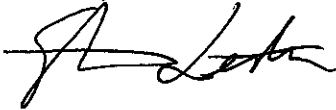
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include a deed, some other legal instrument or a confirmation letter from BLM. Documentation should include a written description of the property (township, range, section etc.). In other words, a clearer record should link the transfer application and lease to ownership of the proposed place of use.

Items 1 through 4 can be completed by your hand written revisions and endorsement on the original application at this office at your convenience. The last item can be completed by submitting clearer BLM documentation of ownership of the proposed place of use.

Please let me know if you have any questions. Thank you for your timely attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester", written over a horizontal line.

Steve Lester

Water Rights Supervisor