



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 20, 2004

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

ERO RESOURCES CORP  
ATTN NORM YOUNG  
1106 N COLE RD STE C  
BOISE ID 83704-8661

***RE: APPLICATION FOR TRANSFER FOR IDAHO DEPARTMENT  
OF PARKS AND RECREATION, WATER RIGHT 63-4724***

Dear Mr. Young:

I have reviewed the application for transfer you prepared for the Idaho Department of Parks and Recreation, water right number 63-4724. This application was filed on a statutory claim. Craig Saxton of our Adjudication staff has reviewed this statutory claim, and a recommendation of this water right has been prepared. The recommendation by Mr. Saxton no longer matches the original statutory claim and consequently the application for transfer.

I also had several questions on how the different water uses were manipulated to come up with the end result. We ask that the applicant show how they changed the different water uses and the calculations they use to get the end result. You also listed the commercial office building as domestic use. The original application showed the office as a commercial use, and the new office use should follow that same concept. For example: You will need to show how much of the industrial water use was used to increase the office or commercial use from 50 people at 50 gpd use to the new commercial use of 70 people at 50 gpd use plus 900 gpd for the rest stop.

We also need to know how much of the industrial use was used to increase the irrigation use from 1 acre to 3 acres. Please supply any calculations that you use to determine this change, so we can see how it was accomplished.

The storage components and evaporation rates are also going to need to be addressed. You will need to supply the calculations showing the amount of evaporation as consumptive use, unless the pond is used as part of an irrigation system and can be filled and/or empty in 24 hours, or the pond falls within the context of 42-111. Application processing memo 67 does not allow us to consider a pond an exempted use simply by the size of the pond. There are several factors discussed in the memo that we must consider. Steve Hannula of your office has worked with us on ponds in the recent past and should have all the information needed to make these calculations.

I have returned the application to you with a copy of the recommendation for water right 63-4724. I have also included a computer generated part 2 form with the application in case you would like to use that form. If you need copies of the pond memo or the worksheet, please contact me and I will get you all the information I have available.

The Department will hold further processing of your application for 30 days to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions or concerns please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a long horizontal flourish extending to the right.

Daniel A. Nelson  
Sr. Water Right Agent