

OCT 30 2025

WATER RESOURCES
WESTERN REGION

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October 30, 2025

Via email only

Cody Parker
Water Rights Supervisor
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
cody.parker@idwr.idaho.gov

Re: Integrated Municipal Application Package ("IMAP") / Transfer No. 89499 –
Response to Preliminary Order approving Transfer No. 89499

Dear Cody:

I am writing on behalf of Veolia Water Idaho, Inc. ("Veolia"), concerning the Preliminary Order approving the IMAP transfers served on October 16, 2025.

At the outset, Veolia expresses its deep gratitude to the Department and other parties for the tremendous efforts made over the past many years to bring us to this moment. We look forward to continuing to productively work together for years to come.

We have reviewed the transfer approval documents and determined they are acceptable. Veolia does not intend to file a petition for reconsideration or exceptions or request a hearing.

To be clear, Veolia does not agree with all of the quantities and conditions in the transfer approval. As noted in various communications to the Department, Veolia believes there are good arguments for modifying some quantities and conditions. In the end, however, Veolia believes it is in the parties' and the Department's best interest to conclude this transfer approval without further negotiating or arguing these matters. Veolia may ask the Department to revisit these arguments in the future if the case arises.

We note that we found several errors in the transfer approval that may be best characterized as non-substantive clerical errors. These are:

1. Right no. 63-2576: the transfer approval's condition 11 says that ground water was first diverted under this right from the Maple Hills 1 well located in T03N R01 E Sec 14 NENE. However, the Department's draft transfer approval issued in June 2025 listed the Orchid well located in T03N R02E Sec 14 NENE, consistent with the license and SRBA partial decree. The original well should be designated as the Orchid well, and the Maple Hills 1 well should be added to the list of points of diversion authorized by the SRBA partial decree.
2. Right no. 63-3457: the transfer approval's condition 11 says that ground water was first diverted under this right from the Mesa 1 and 2 wells, both located in T03N R02E Sec 24 SWNE. This is consistent with the license and partial decree for this right. However, this is not consistent with condition 11's other statement that says Mesa 2 is an additional point of diversion authorized by the IMAP transfer. Mesa 2 should be removed from this latter list in condition 11.
3. Right no. 63-11950: the transfer approval's condition 11 says that ground water was first diverted under this right from the Taggart 2 well located in T03N R02E Sec 21 NENE. However, we believe this should be changed to the Taggart 1 well, which is in the same authorized location as the Taggart 2 well.

Despite Veolia's and the Department staff's best efforts, it is possible that other non-substantive clerical errors like these exist within this vast transfer approval. In any case, Veolia does not believe such errors warrant filing a petition for reconsideration because condition 11 is for informational purposes only and does not affect the elements of the water rights.¹ In the event of administration that implicates condition 11, any errors in the condition can be addressed at that time.

In closing, Veolia extends its appreciation to the parties and the Department for their assistance and cooperation in our collective efforts to obtain approval of the IMAP.

Sincerely,



Michael P. Lawrence

¹ This stands in contrast to, for example, the list of alternate points of diversion authorized by the IMAP transfer approval (Attachment A to Transfer No. 89499), which defines an element of the water rights. This list appears to be accurate.

Cody Parker
October 30, 2025
Page 3 of 3

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From: Michael P. Lawrence <mpl@givenspursley.com>
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Phill; Caraig, Jacob; Hobson, Susy; Gonzalez, Bryant; Newbry, Robert; Catherine Cooper
Subject: RE: Veolia Transfer Approval #89499 [GP-DMS.000030.0147.FID401778]
Attachments: MPL ltr to IDWR re IMAP approval 2025-10-30_19199643_1.pdf

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All,

Please see the attached letter.

Thanks,
Mike

MICHAEL P. LAWRENCE

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From: Parker, Cody <Cody.Parker@idwr.idaho.gov>
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