



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LaMar Rupp
PO Box 5307
Chubbuck, Idaho 83202

Re: Adjudication Claim 29-2292, 29-2419

Dear Mr. Rupp:

I have begun reviewing these adjudication claims. The well under 29-2292 was originally licensed for 4.24 cfs, which is probably not quite adequate for the 369 acres you appear to be irrigating. The capacity of the well was measured in 1953 at 6.06 cfs, which is much more appropriate for 369 acres.

If you wish, I can prepare a "beneficial use" claim for the additional diversion rate, with a priority of 1953. This would result in an additional 1.82 cfs, or about 817 gallons per minute. The fee would be \$100.

Another issue with these water rights is that the diversion rate per acre is not balanced between the two rights. It appears that the two systems are interconnected, and operated together. It would be appropriate to recommend these two rights (three, if you file the beneficial use claim) on a "permissible place of use" basis. The advantage to this is that you would be able distribute your available diversion rate across the entire farm, from either water right or well.

The disadvantage would be that if the land were divided, or a portion were sold off, each piece of land would get a proportionate share of each water right. If you wished to keep the older water right on one parcel, and the junior right(s) on another, the "permissible place of use" would interfere with your plans.

Please consider what you would like to do, and let me know. You may call me at home in the evenings at 208-663-4853, if you can't reach me during the day.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent