



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

September 6, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Randall C. Budge
PO BOX 1391
POCATELLO ID 83204-1391

Re: Glen Bolingbroke Adjudication Claims
A29-477, A29-2565, A29-10857

Dear Mr. Budge:

Recently I visited with your client Glen Bolingbroke of Arbon about his water right claims. He suggested I contact you.

From my review of his rights, it appears that there are some opportunities for Mr. Bolingbroke to amend his claims to more correctly identify his historical use of water. This will allow me to make recommendations that better accommodate historical practices, and allow Mr. Bolingbroke the flexibility to continue these practices. These are:

1. Total number of irrigated acres.

License 29-2565 is for 409 acres of irrigation from a well. Only 304 acres were claimed, but it appears that the pre-CRP practice was likely closer to the original licensed acreage. There may have been an accomplished transfer changing the location of the place of use.

If this analysis is correct, it would be appropriate to amend the claim to reflect the actual pre-CRP irrigation practice and acreage. Mr. Bolingbroke believes you have a Farm Service Agency map in your files that would show the pre-CRP farmed and irrigated lands.

Could you please send me a copy of this map, and let me know if I should prepare an amended claim to reflect more acres than currently claimed?

2. Co-mingling of Ground Water and Surface Water

Mr. Bolingbroke is able to deliver Rattlesnake Creek water (29-477), well water (29-2565) and spring water (29-10857) through the same sprinkler

distribution system to all the same lands. To correctly reflect this ability and practice, I would like to recommend all three rights on a "Permissible Place of Use" basis on the same lands. Should I prepare amended claims to reflect this practice?

3. Storage in Pond

It appears that Mr. Bolingbroke is able to store more than 24 hours of irrigation water in his pond. This technically requires a separate storage right, and I would like to make recommendations that reflect and record this historical beneficial use.

Because the pond is referenced on the well permit application and licensing exam for right 29-2565, the pond storage can be included on an amended claim for that right. The surface water storage can be recorded with a new "beneficial use" claim for storage.

There will be no fee for the amended claims, except for a fee of one dollar per acre for additional acres of irrigation. The fee for the beneficial use claim will be fifty dollars.

Please send me a copy of the map Mr. Bolingbroke referred to, and review these proposed changes. Let me know if you would like me to prepare amended claims and/or an additional claim. I believe these proposed changes would allow me to more correctly recommend Mr. Bolingbroke's water rights.

Sincerely,

A handwritten signature in cursive script, reading "Bryce A. Contor".

Bryce A. Contor

Senior Water Resource Agent