



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

August 22, 2006

Christopher H. Meyer
Givens Pursley
601 W. Bannock St.
PO Box 2720
Boise, ID 83701

Re: City of Blackfoot Basin 27 Subcases

Dear Mr. Meyer:

The following summarizes the conclusions reached at the August 15, 2006 meeting:

Water Right Nos. 27-2142, 27-4084, Standard Forms 5 to disallow as originally reported.

Water Right Nos. 27-4086, Amended Director's Report to add volume¹ based on the recommended diversion rate of 3.01 cfs.

Water Right Nos. 27-4088, Amended Director's Report to add volume based on the recommended diversion rate of 4.02 cfs.

Water Right Nos. 27-7329, Amended Director's Report to add volume based on the recommended diversion rate of 3.39 cfs.

Water Right Nos. 27-7384, Amended Director's Report to add volume based on the recommended diversion rate of 0.14 cfs and changing the place of use to the service are within the City of Blackfoot.

Water Right Nos. 27-4165, Standard Form 5 with no change to original recommendation (volume was already recommended on this water right).

¹ All volumes referred to herein will be calculated based on the diversion rate multiplied by 24 hours a day, 7 days per week, 365 days per year.

Water Right Nos. 27-11706, Amended Director's Report to add volume based on the recommended diversion rate of 1.67 cfs.

Water Right No. 27-4087 – City needs to supply the Department with their current pump test and information regarding historic pump size. If the City wants the 3.75 cfs then it needs to amend its claim and increase the quantity claimed.

Water Right No. 27-4106 – City needs to supply the Department with their pump test which will likely be followed-up with the Standard Form 5.

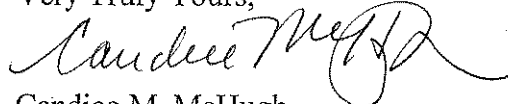
Water Right No. 27-4151 – Based on Mr. Tuthill's representations, a Standard Form 5 will be prepared to recommend this water right with a purpose of use as municipal use for 0.07 cfs with a 7-20-1948 priority date with the point of diversion recommended as the original well.

Water Right No. 27-4152 – Commonly referred to as the "Front Nine Well." Ernest Carlsen has been contacted by Jason Pettyjohn, an engineer with Keller Associates to discuss the 1.34 cfs, the place of use and the number of acres irrigated on the golf course. Mr. Carlsen will follow-up with Mr. Pettyjohn.

Water Right No. 27-4153 – The City needs to supply the Department with priority date information on when the golf course was constructed and the culinary well first put to beneficial use. With some evidence of priority, the Department will settle this water right by recommending it.

Water Right No. 27-4154 – After consideration, the Department has determined that the well serving culinary uses within the sewer treatment plant is best characterized as a domestic use with a maximum of 2,500 gallons of water per day. If this is acceptable to the City, then the Department will recommend this water right with the volume attributed to a 2,500 gallons per day limit.

Very Truly Yours,



Candice M. McHugh
Deputy Attorney General, IDWR

cc: David Barber
Jeanette Wolfley
Ernest Carlsen
Cindy Bird