



State of Idaho

DEPARTMENT OF WATER RESOURCES

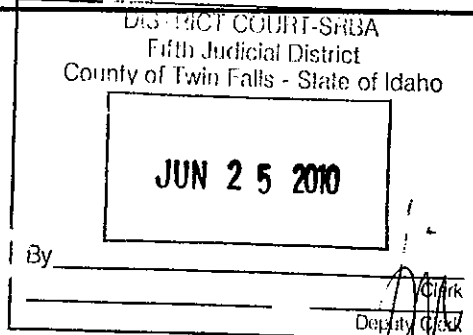
Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

June 24, 2010

Country Acres Water Co.
3809 N 2500 E
Filer, ID 83328

RE: Water Right 47-7936

Dear Mrs. Todd:



C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Our office received your letter dated June 22, 2010 which references an earlier letter dated June 10, 2010. After some research I believe the June 10, 2010 letter referenced is one sent to the Snake River Basin Adjudication Court regarding water right 47-7936. For this reason I am forwarding a copy of your June 22, 2010 letter to the court along with a copy of this response.

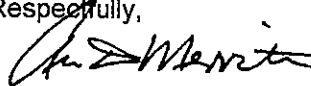
I understand from the record that:

- On 7/1/1983 Alger Todd (Trustee) for Country Acres Water Co. filed application 47-7936 for 0.14 cfs for Domestic Use (0.11 cfs for 5 homes) and Irrigation Use (0.03 cfs for 1.0 acre on five ½ acre lots).
- On 3/5/1986 the application was approved requiring proof of completion of development of the permit be submitted before 3/1/1991.
- On 1/24/1991 Proof of Beneficial Use was filed by Alger Todd indicating that 5 homes were being served domestic water and 2.5 acres were being irrigated.
- On 6/14/1995 IDWR conducted a field exam of the property and determined that 5 homes were being served water for domestic purposes and there were 1.8 acres being irrigated and that the capacity of the well was 0.07 cfs.
- On 5/31/1996 IDWR issued a license for right 47-7936 for 0.07 cfs (0.07 cfs for Domestic Use for 5 homes and 0.03 cfs for Irrigation Use of 1.0 acres)

The recent recommendation/partial decree of water right 47-7936 before the SRBA court which you have issues with is based on the license issued in 1996.

Irrespective of the status of 47-7936, IDWR may process a new water right application for permit that may fill in some areas you may feel that water right 47-7936 lacks. (Specifically the number of acres authorized to be irrigated.) Our office welcomes your visit where we might answer the questions in your letter in detail and would be happy to assist you in exploring in more detail the option of filing a new water right application.

Respectfully,


Allen Merritt, PE
Southern Region Manager

CC: SRBA Court
Doug Jones Nick Spencer (IDWR)

Country Acers Water Co
3809 N 2500 E
Filer, ID 83328

RECEIVED
JUN 24 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

June 22, 2010

IDWR Southern Regional Office
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

Dear Sir

My letter of June 10, 2010, was not asking for you to File for a hearing, What I was asking is: Is this the amount of water for the acreage we have. Does everyone else have the same proportion of water, or was this a mistake.

Is everyone else getting the same proportion of water, or, are we being short changed?

Is everyone with a two Acres of ground with 4 small homes on it only get 1 Acre of water rights. I have no background in what a 1 Acres of water, will water. Will it water 2 acres plus 4 house hold use. I was expecting the water right to be 2 acres water right.

One of the five houses has not used the water for the last 30 years. But his name is still on the paper work for the Well.

I don't want to be told we only have enough water rights to drink and not enough to water our gardens, flowers and lawn.

Sincerely

Beulah Todd