

Cefalo, James

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Monday, October 18, 2021 9:32 AM
To: Cefalo, James; bretttrudy@gmail.com
Subject: RE: Application for Transfer 84777 (Williams)

James,

Mr. Fullmer did obtain a copy of the CRP documents, but they ended before the period in question. However, I did meet with him and gathered more information from him that I think is relevant and should provide a defense to forfeiture. I need to compile the information still to send to you. I will work on it asap.

Thanks for checking in on it.

Kristin Moore

Senior Water Rights Analyst
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From: Cefalo, James [mailto:James.Cefalo@idwr.idaho.gov]
Sent: Friday, October 15, 2021 10:14 AM
To: bretttrudy@gmail.com; Kristin Moore <kristin.rmea@gmail.com>
Subject: RE: Application for Transfer 84777 (Williams)

Kristin,

Just following up on this email to see if there are any updates. When we spoke on the phone a couple of months ago, you mentioned that the previous owner, Fullmer, had enrolled the ground in the CRP for some period of time. You were working with Williams and Fullmer to get documents confirming the dates of the CRP enrollment. Have you had any luck tracking down the CRP documents? I know that the federal agencies are very strict about releasing information to third parties. The NRCS will likely only release the CRP records to Fullmer.

James



Cefalo, James

From: Cefalo, James
Sent: Friday, May 21, 2021 11:46 AM
To: 'bretttrudy@gmail.com'; 'Kristin Moore'
Subject: Application for Transfer 84777 (Williams)

Dear Applicants,

Application for Transfer 84777 proposes to change the place of use for ground water right 34-7054A. I have concerns about the validity of water right 34-7054A. As part of my review, I looked at diversion records from Water District 34, which show that water right 34-7054A was not diverted between 2001 (the date of the SRBA partial decree) and 2012 (the year before Brett and Trudy Williams purchased the subject property from Fullmer). Aerial photos and satellite imagery from 2001 to 2012 indicate that the existing place of use for water right 34-7054 was not irrigated during that time period. From 2013 to 2020, only 70 acres of the 390.6-acre place of use have been irrigated. It appears that all of water right 34-7054A went through a period of non-use between 2001 and 2012 and approximately 320.6 acres of the existing place of use have not been irrigated since 2013.

I could not find any evidence that water right 34-7054A was enrolled in the Water Supply Bank or was used through a Drought Emergency Transfer between 2001 and 2020. There may be additional evidence, outside of the records available to the Department, that would show that water right 34-7054A was in fact diverted and used between 2001 and 2012 or that more than 70 acres have been irrigated at the existing place of use for water right 34-7054A between 2013 and 2020. Please provide any additional evidence that you may have showing diversion and use at the existing place of use during those time periods. If water right 34-7054A was not diverted between 2001 and 2012 or was only partially used since 2013, please identify an exception or defense for the non-use during those time periods.

James Cefalo
Regional Manager
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