

Cefalo, James

From: Cefalo, James
Sent: Monday, July 23, 2018 3:10 PM
To: Del Kohtz (del@idahowatercompany.com)
Cc: 'Jason Helms'
Subject: FW: Application for Transfer 82496 (Idaho Water Co.)

Del,

I just prepared the public notice for Application for Transfer 82526 (rights 35-14266 and 35-14267). I have the same concerns with Application 82526 as I had with the other application described below (which has been assigned number 82496). Application 82526 states that no portions of water rights 35-14266 or 35-14267 have undergone a period of five or more years of non-use. Aerial photos for the property do show four acres of irrigation occurring in a rectangular field north of the home. The acres south of the home appear to be dry. Please provide additional information about the extent of irrigation occurring on the Bundy property. If more than four acres have been irrigated in the last five years, please describe how and when that irrigation occurred.

Further, if water rights 35-13975, 35-14484, 35-14485 and 35-14486 (or some split portion of those rights) will be transferred off of the Melaleuca property, please file the application to make that change.

James

From: Cefalo, James
Sent: Friday, July 06, 2018 3:44 PM
To: Del Kohtz (del@idahowatercompany.com) <del@idahowatercompany.com>
Cc: 'Jason Helms' <jasoncivil@alumni.nd.edu>
Subject: Application for Transfer 82496 (Idaho Water Co.)

Del,

I am working on the application you filed proposing to move water right 29-14257 from the NS Company property near Century High School in Pocatello to the Melaleuca office building near Shelley. During my initial review of the application, I have identified two issues:

1. The application states that the water right has not undergone a period of five or more years of non-use. As I review aerial photography and satellite imagery since the decree date (3/22/2004), I can't see any obvious signs of irrigation occurring at the existing place of use for water right 29-14257. It appears that NS Company LLC (Michael & Christine Ennis) have owned the property since 2004). Therefore, Michael & Christine Ennis should have personal knowledge about the irrigation occurring between 2004 and 2018. Please provide additional information about the irrigation occurring on the NS Company property since 2004. When was the property irrigated? How many hours or days per years did irrigation occur? How was the irrigation accomplished? There are no sprinkler lines or ditches visible on the property. The file for original water right 29-2309 indicates that the system constructed under Permit 29-2309 was a closed-conduit sprinkler system, without open ditches.
2. The application states that an 8-acre portion of one or more of water rights 35-13975, 35-14484, 35-14485 and 35-14486 will be transferred off of the proposed place of use in the near future. If you want to avoid combining water right 29-14257 with the 8 acres to be moved off of the Melaleuca property, the application proposing that change must be filed prior to the approval of Transfer 82496. Water rights 35-13975, 35-14484, 35-14485 and 35-14486 will be added to Transfer 82496 as associated rights to update combined limit conditions. In order to update those conditions properly, I need to know what portions of the existing water rights will be transferred off of the property.

Please feel free to contact me if you would like to discuss these issues in greater detail. I will move forward with publishing notice for Application 82496.

James Cefalo
Water Resources Program Manager
IDWR Eastern Region
(208) 525-7161