



BROCKWAY
ENGINEERING
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Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 14 2017

Department of Water Resources
Eastern Region

March 7, 2017

Jared Dalebout
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Foster Family Farms Inc.

Dear Mr. Dalebout:

Foster Family Farm Inc. received a letter from IDWR dated November 30, 2016 regarding irrigation occurring in the NWNW of Section 25 in Township 05S Range 30 East. The letter directed Foster Family Farms Inc. to cease and desist irrigating 4.9 acres in this pivot corner area.

Foster Family Farm Inc. recognizes that the current irrigation place of use of 35-7512 does not include the pivot corner located in the NWNW of Section 25. Upon detail analysis of the pivot corner located in the NWNW of Section 25, the irrigated acre amount at this location is actually closer to 4.3 acres instead of 4.9 acres. The difference is that the roadway appears to be included in the 4.9 acres that the November 30, 2016 letter references. A full review of the acres irrigated under 35-7512 including the pivot corner in the NWNW of Section 25 indicated that 266.0 acres are being fully irrigated. Water right 35-7512 allows the irrigation of 266.0 acres. The two full pivots do cover some road ways and overlap onto adjacent property. However, the end guns are turned off in these areas preventing hazardous road conditions and wasting irrigation water on ground that has not been planted for crop production.

This transfer proposes to update the irrigation place of use of the allowed 266.0 acres. No addition water right acres need to be transferred into this farm and no additional ground need to be dried up and removed from production. The attached aerial map and irrigation amounts per quarter quarter should allow IDWR to process this transfer and resolve the issue of irrigation that has occurred outside of an authorized irrigation place of use.

It is requested that this transfer is not advertised because the point of diversions and the ownership of water right 35-7512 will not be changing at this time. This will also allow this transfer to be processed and approved by IDWR before the start of the 2017 irrigation season.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

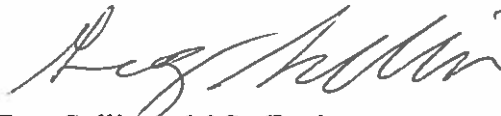
TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Please copy our office on all correspondence regarding this application. If you have any questions please feel free to call, email or write me a letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Sullivan". The signature is fluid and cursive, with the first name "Greg" being more prominent than the last name "Sullivan".

Greg Sullivan, M.S., Engineer

Cc: Marc Foster

Enc: Transfer Application, Aerial Maps, IDWR Letter Dated November 30, 2016, Brockway
Engineering Check # 13901 for \$200.00