



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

COPY

December 1, 2015

BLACK MESA FARMS LLC
PO BOX 82
GLENN'S FERRY ID 83623
LOWMAN ID 83637

RE: Water Right 2-4021 (Transfer 79305) and Water Rights 2-103, 2-2209B (Transfer 78428)

Dear Mr. and Mrs. Trail:

I am reviewing the above referenced transfers in order to confirm compliance with the conditions of approval. In a review of the file, I noticed that you have met substantial compliance with the following condition of approval of the transfers:

Water Right 2-4021:

This right is limited to the irrigation of a specific 600 acres within the 4,558 acre place of use authorized by this right in a single irrigation season. The specific 600 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 600 acres to be irrigated within the 4,558 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Water Rights 2-103, 2-2209B

Combined rights 2-103 and 2-2209B are limited to the irrigation of crops from a specific 838 acres within the 3,948 acre place of use authorized by the rights in a single irrigation season. The specific 838 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the Department. Once per irrigation season, the right holder may designate a different 838 acres within the 3,948 acre place of use for irrigation in the next irrigation season. Application of water to the 838 acres designated for irrigation in the next season may commence in the fall of the current irrigation season to till, apply chemicals, or establish fall planting in preparation for the next irrigation season. Before applying water in the fall to the 838 acres to be irrigated in the next irrigation season, the right holder shall submit a new land list and representative electronic shape file or map to the Department and to the watermaster of Water District 02 and shall cease irrigation and complete harvest on the lands that have been irrigated in the current irrigation season and are to be idled in the next irrigation season.

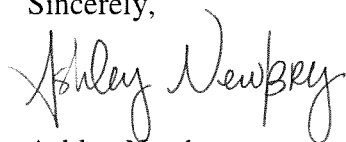
Some additional information is still missing. For 2016, you have identified 489 out of 600 acres of irrigation under right 2-4021, and you have identified 562 out of 838 acres of the remaining water rights 2-103 and 2-2209B. In short, I was unable to determine which acres you intend on using for your rye crop in 2016 (111 acres on Trail Property and 276 acres on Black Mesa Property.)

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I have made copies of your previous submittal and logged them to your water right record. Please provide a map which shows the acres you intend on irrigating in order to grow rye. In order to create a map like the one mentioned in the transfer conditions above, I will need to know the location of each of the 600 acres and 838 acres.

IDWR will withhold further action on your permit for 30 days from the date of this letter in order to allow you time to respond. If the Department does not receive a response from you within this time period, it will be assumed that you are not interested in pursuing compliance with the conditions of Transfers 79305 and 78428. Subsequent action may be taken to invalidate the aforementioned water right transfers. If you need additional time to respond, please contact me to request an extension.

Sincerely,



Ashley Newbry
Associate Engineer

No Response Received
2-18-16 AZN

Please send your response to:

Idaho Dept. of Water Resources
Attn: Ashley Newbry
PO Box 83720
Boise, ID 83720