

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) _____

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- Yes, N/A** * Means the item is always required and must be included with the application.
- ☒ * Completed Application for Transfer of Water Right form, Part 1.
 - ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
 - ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
 - ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
 - ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
 - ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 ☒ If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

RECEIVED

DEC 20 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change

1. APPLICANT(S) MARK T. Newcomb Phone 4231-0020
2. MAILING ADDRESS 251 E. 200S City Rupert
State Idaho Zip 83350 Email mtn@port.019

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 45-2329A, 45-2370

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 3.00 cubic feet per second and/or 1024 acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION - Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, Water Right Transfers, Online Resources.

Twsp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
10S	24E	1		NW	SE	SE	Cassia	Ground Water	A0005472
10S	24E	1		NW	NW	SE	Cassia	Ground Water	
10S	25E	6		NW	SW	SE	Cassia	Ground Water	A0005473

RECEIVED

DEC 20 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Vertical pump added to system to meet water needs according to water right with proper measuring & control devices

- b. Who owns the property at the point(s) of diversion? applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Mark T. Newcomb
Signature of applicant or authorized agent

MARK T. Newcomb
Print name and title if applicable

12/20/2013
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

Flow rate at new well to be limited to applied for rate

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by D Jones Date 12-20-13

Fee paid \$660 Date 12-20-13 Received by D Jones Receipt # 503375

Preliminary review completed by _____ Date _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-2329A

Current Owner: MARK T NEWCOMB

Priority Date: 9/30/1950

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.76 CFS	288 AF
	<u>Total Diversion</u>	0.76 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SE1/4	Sec. 6, Twp 10S, Rge 25E B.M.
CASSIA County		
GROUND WATER	NW1/4SE1/4SE1/4	Sec. 1, Twp 10S, Rge 24E B.M.
CASSIA County		

Place of UseIRRIGATION Within CASSIA County

T10S R24E S1	NESE	40.00	T10S R24E S1	NWSE	40.00
T10S R24E S1	SESE	40.00	T10S R25E S6	NESW	40.00
T10S R25E S6	Lot 6 NWSW	32.00	T10S R25E S6	Lot 7 SWSW	32.00
T10S R25E S6	SESW	32.00			

Total Acres: 256

Conditions of Approval:

- X35 1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.18 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1024 AF. COMBINED RIGHT NOS.: 45-2329A and 45-2370.
- T19 2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- X27 3. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Decreed Date: 5/6/2005

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-2370

Current Owner: MARK T NEWCOMB
Priority Date: 2/16/1951
Origin: Water Right
Status: Active
Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.42 CFS	736 AF
	<u>Total Diversion</u>	2.42 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SE1/4	Sec. 1,	Twp 10S,	Rge 24E B.M.
CASSIA County				
GROUND WATER	NW1/4SW1/4SE1/4	Sec. 6,	Twp 10S,	Rge 25E B.M.
CASSIA County				

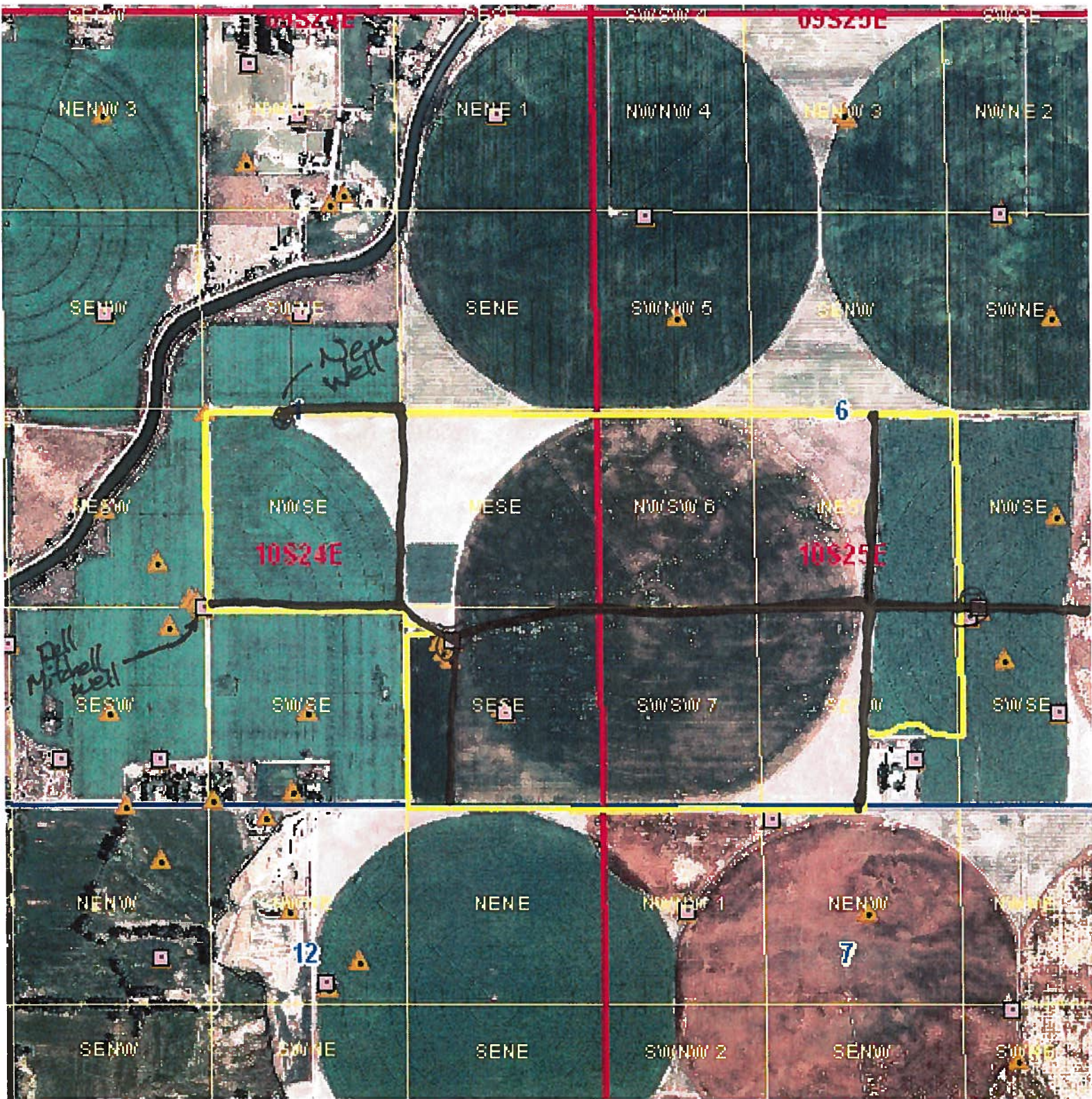
Place of Use**IRRIGATION Within CASSIA County**

T10S R24E S1	NESE	40.00	T10S R24E S1	NWSE	40.00
T10S R24E S1	SESE	40.00	T10S R25E S6	NESW	40.00
T10S R25E S6	Lot 6 NWSW	32.00	T10S R25E S6	Lot 7 SWSW	32.00
T10S R25E S6	SESW	32.00			

Total Acres: 256

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 184 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6), IDAHO CODE.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.18 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1024 AF. COMBINED RIGHT NOS.: 45-2329A and 45-2370.



45- 2329A
45- 2370

TRANSFER 78999

Maline, Denise

From: Maline, Denise
Sent: Friday, February 14, 2014 4:31 PM
To: Brian Higgs
Subject: Comment Letter
Attachments: Comment Letter to WM140 for 78999.docx; Transfer 78999.pdf

Dear Brian,

Attached please find a cover letter, recommendation form, and a copy of Transfer 78999. Please review the attached information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 14, 2014

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

Via E-mail

RE: Transfer No. 78999
Water Right No(s): 45-2329A & 45-2370

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 13, 2014

MARK T NEWCOMB
251 E 200 S
RUPERT, ID 83350

RE: Transfer No. 78999
Water Right No(s). 45-2329A, 45-2370

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 2/20/2014 and 2/27/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 10, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 13, 2014 2:15 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News Cover Letter.docx; Times News Ad.docx; IGWA Mitigation Ad.docx

Attached please find **(2)** legal notices being submitted for publication on February 20th & 27th, 2014. There are 2 separate legal notices this time around.

Please feel free to contact me if you have any questions, or if you are not able to run these ads on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 13, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 78999

Water Right No(s): 45-2329A, 45-2370

RE: Application For Permit No.(s): 36-16976, 36-17002

RE: Notice of Mitigation Plan submitted by Idaho Ground Water Appropriators Inc. (IGWA)

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 10, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16976

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT
BINGHAM GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER DISTRICT
NORTH SNAKE GROUND WATER DISTRICT
MADISON GROUND WATER DISTRICT
BONNEVILLE JEFFERSON GROUND WATER DISTRICT
CLARK JEFFERSON GROUND WATER DISTRICT
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO, ID 83204

Point of Diversion SESWNW S32 T07S R14E GOODING County Source SPRINGS Tributary BILLINGSLEY CREEK
Point of Diversion SWSWNW S32 T07S R14E GOODING County Source BILLINGSLEY CREEK Tributary SNAKE RIVER
Point of Diversion SWSWNW S32 T07S R14E GOODING County Source SPRINGS Tributary BILLINGSLEY CREEK
Point of Diversion SESWNW S32 T07S R14E GOODING County Source BILLINGSLEY CREEK Tributary SNAKE RIVER
Use: FISH PROPAGATION 01/01 to 12/31 12 CFS
Use: MITIGATION FOR IRRIGATION 01/01 to 12/31 12 CFS
Total Diversion: 12 CFS
Date Filed: 4/3/2013

Place Of Use: FISH PROPAGATION & MITIGATION FOR IRRIGATION
T07S R14E S31 SWNE SENE
T07S R14E S32 SWNW

Application proposes appropriating 12.0 cfs of water from springs and Billingsley Creek for fish propagation and "mitigation for irrigation" use. The proposed points of diversion are located at the head of the Rangen fish facility located approximately 2.7 miles south and 2.4 miles east of Hagerman. The application identifies the location of the fish propagation and "mitigation for irrigation" places of use as the Rangen fish facility located approximately 2.7 miles south and 2.4 miles east of Hagerman.

36-17002

RANGEN INC
PO BOX 706
BUHL, ID 83316

Point of Diversion SWSWNW S32 T07S R14E GOODING County Source SPRINGS Tributary BILLINGSLEY CREEK
Point of Diversion SESWNW S32 T07S R14E GOODING County Source SPRINGS Tributary BILLINGSLEY CREEK
Use: FISH PROPAGATION 01/01 to 12/31 59 CFS
Total Diversion: 59 CFS
Date Filed: 2/3/2014

Place Of Use: FISH PROPAGATION
T07S R14E S31 SWNE SENE

Application proposes appropriating 59 cfs of water from springs for fish propagation use at the Rangen fish facility located approximately 2.7 miles south and 2.4 miles east of Hagerman. The proposed points of diversion are located at the head of the Rangen fish facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78999**

MARK T NEWCOMB, 251 E 200 S, RUPERT, ID 83350; has filed Application No. 78999 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2329A, 45-2370. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a new point of diversion to two existing groundwater rights. The new well will be drilled on an existing farm located approximately 4 mi. north and 2. mi. east of the City of Declo. Three wells (two existing and one new) will be used to divert up to 3.18 cfs and 1024 af for the irrigation of 256 acres on the farm.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before March 10, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 20th & 27th, 2014

MEMORANDUM

Date: Feb. 11, 2014
To: Transfer 78999 File
From: Douglas Jones
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to add a new point of diversion to two existing groundwater rights (45-2329A, 45-2370). The new well will be drilled on an existing farm located approximately 4 mi. north and 2. mi. east of the City of Declo. Three wells (two existing and one new) will be used to divert up to 3.18 cfs and 1024 af for the irrigation of 256 acres on the farm.

The properties and points of diversions involved with the application are located within Water District 140 and the ESPA but the three wells are all located in adjacent cells and are within 1 mile of each other so a model analysis is not necessary. Watermaster comments will be necessary.

Note, the new well will be limited to 3.0 cfs and the processing fee has been adjusted accordingly.

- **Authority to File:**
The applicant is listed as the current owner of involved water rights according to IDWR records as well as the involved property.
- **Water Right Validity:**
Both water rights have been decreed in the SRBA. Review of aerial photos indicates that the lands involved with the transfer have recently been irrigated.
- **Injury to Other Water Rights:**
The new well and an existing well will be just over ¼ mile from an irrigation well owned by another farmer. All three wells will be located on an existing farm within 1 mi. of each other and in the same cell or just over the line of an adjacent model cell within the smooth boundary. Applicant will be offered the opportunity to get signoff from the neighboring well for the proposed change or to have it advertized.
- **Enlargement of Use:**
None anticipated, but the potential will present to increase the total rate per acre from the currently authorized 0.012 cfs/ac.
- **Local Public Interest:**
No hydrological impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Jones, Doug

To: mtn@pmt.org
Subject: Important: Transfer T#78999

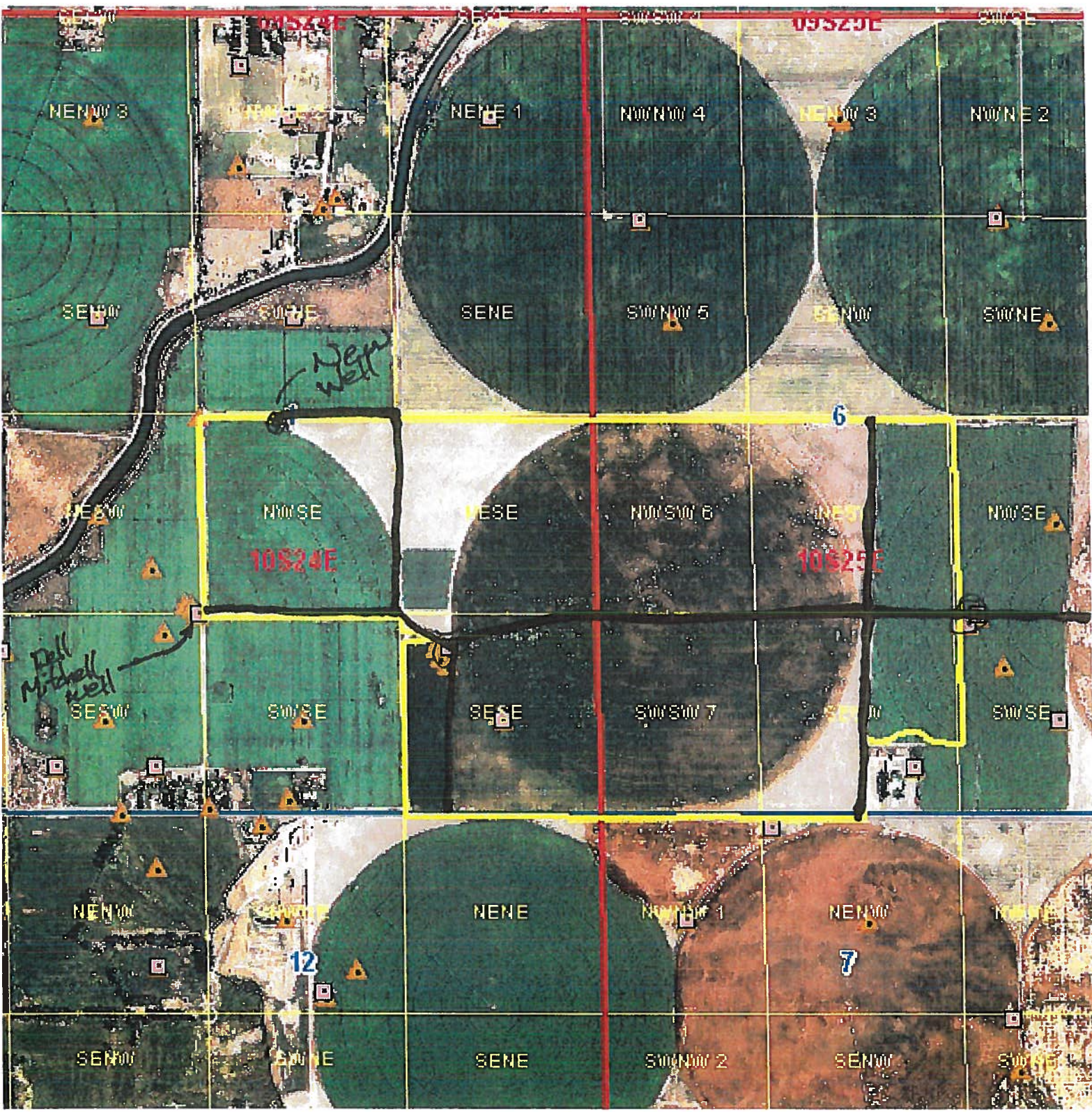
Mark,

The transfer for the new well NORTH of the interstate is ready for 1 of two paths. We will need to advertize it UNLESS you can get a letter from the Mitchells saying they don't have a problem with your proposal. It appears that Dell, Jan and Lynn Mitchell have water rights describing diversion from that well. Each should sign the letter

If I hear from you today that you won't seek a letter from Mitchells I can get it to advertizing ASAP (tomorrow is an advertizing preparation deadline). Timing of approval would then be about 2 months from now. If I hear from you that you will get me a letter I will hold off and we can approve the transfer soon after receiving the letter. Attached is the transfer application map to show the Mitchells; it would be helpful if their letter acknowledges seeing the map and the proposed location of the well in NWSE Sec1.

Thank you. You can get in touch by email or phone (736-3033) if you have questions or to let me know you will be seeking that letter.

Doug



45- 2329A
45- 2370