



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 • Web Site: www.idwr.idaho.gov

June 7, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CHARLES E BROCKWAY PE
BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: Transfer 77712, Moo View Cow Palace

Dear Chuck:

I read your letter to the Director dated May 29, 2012, where you expressed concern about processing for the transfer referenced above. I also reviewed the transfer file containing the application and correspondence associated with staff review. In your letter, you expressed concern about the amount of time taken to process the transfer and the need to submit additional information whenever a new staff person is assigned to review the application.

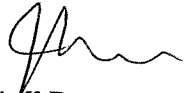
The transfer application proposes to combine and enlarge PPU's for a large number of water rights with multiple ownerships, and to add POD's in the ESPA. As you know, these transfers take additional time to review due to their complexity and the number of water rights involved. The staffing assignments for review from Southern Region to the State Office, and back to Southern Region are unique in our current processing practices and I acknowledge were not the most efficient to process the transfer application. In this particular case, the objective of the reassignments was to keep processing moving forward rather than languishing due to competing or changing priorities assigned to individual staff members.

In my review, I found that the transfer application was originally submitted in November, 2010, but was returned to your office during the same month due to deficiencies in the application. Staff met with you in December, 2010 and March, 2011 to discuss your proposed revisions. The transfer application was not resubmitted until late December, 2011. During February through March, 2012, there were several letters and emails exchanged indicating active processing during that time period. Although additional information was requested, I did not see that duplicative requests were made between different staff members, but rather ongoing exchanges as you would expect for a complicated transfer.

I understand from staff that there are remaining issues related to the PPU, supplemental rights and perhaps other issues that need to be resolved for this transfer application. I recently spoke with Southern Region staff to discuss a path forward for processing. Southern Region plans to advertise the application and will continue working with you toward resolution of any remaining issues. As you know, the application may be protested, potentially causing further delay in processing time.

I encourage you to work directly with Jeff Cooper at Southern Region to address issues and questions related to processing of the application; however, I am happy to discuss any questions or concerns you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff', with a stylized flourish extending from the end.

Jeff Peppersack
Chief, Water Allocation Bureau

Cc: Allen Merritt, IDWR Southern Region