

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAY 30 2012

DEPARTMENT OF
WATER RESOURCES

May 29, 2012

Gary Spackman, Interim Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Transfer 77712, Moo View Cow Palace

Dear Gary:

Brockway Engineering PLLC has represented Moo View Cow Palace and members of the Searle family on water right matters for several years. The Searle family operates a large irrigated farm in Cassia County and has endeavored to consolidate the family holdings into manageable permissible places of use. On November 16, 2010 Brockway Engineering filed an application for transfer (No 77712) to effect a PPU that allows better water management under the various water rights and properties held by different members of the family.

The application for transfer involved several water rights and property owners and, as a result, we met several times with Southern Region personnel to resolve ownership issues and ESPA model analysis protocol. A timeline of actions and submittals for this transfer processing is attached. On February 15, 2012, the transfer was sent to Boise at which time we were under the impression that processing had essentially been completed by Southern Region and the application was ready for final review and approval.

Pam Skaggs requested additional information twice and we responded to both requests on February 23 and March 7, 2012 with what we believed was the pertinent information. Again, we thought that our response was sufficient and that the application would be approved.

The application was given to Nick Van Dyke sometime after March 7 supposedly for additional processing and/or evaluation. Again we thought that the processing would be completed by Nick and the application signed. On May 25, 2012 we inquired of the Southern Region as to the status of the application and was told that the transfer application would be sent back to the Southern Region.

I realize that IDWR has had recent significant budget problems and apparent personnel changes which can affect efficiency in processing applications. However, this application has taken an inordinate amount of time to process. It seems every time an application is transferred to a different agent we are required to submit additional information and we do not know if, with

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

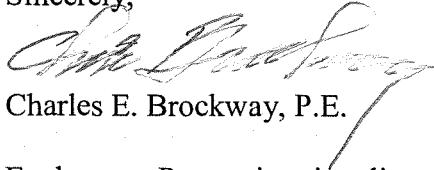
TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

assignment of the application to a new agent in Southern Region, whether we will be asked again for additional information and start all over again. I would appreciate your review of the progress of this application and any assistance in getting the process completed. Thanks in advance for your help.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles E. Brockway".

Charles E. Brockway, P.E.

Enclosure: Processing time line

Cc: Craig Searle

Timeline of the preparations and submittals for the Searle Transfer 77712.

November 16, 2010	First transfer application submitted to Sothern IDWR office.
December 2, 2010	Meeting at Southern IDWR office with Brockway Engineering, Allen, Jana and Corey concerning model analysis of transfer and ownership issues.
March 8, 2011	Meeting at Southern IDWR office with Brockway Engineering, Allen and Corey to confirm that new ESPA Model analysis will be acceptable with IDWR.
December 30, 2011	Updated transfer applications with new ESPA Model analysis and ownership issues resolved, submitted to the Southern IDWR office.
January 6, 2012	Change of ownership of water rights included in the transfer is submitted to the Southern IDWR office.
	Transfer is sent to the Boise IDWR office to be processed.
February 15, 2012	Correspondence with Pam Skaggs and Brockway Engineering concerning transfer characteristics, ownership, water rights and delivery issues with transfer.
February 21, 2012	Official letter from Pam Skaggs is sent to Brockway Engineering concerning additional information required for transfer application.
February 23, 2012	Email correspondence with Pam Skaggs and Brockway Engineering concerning issue in February 21, 2012 letter.
February 29, 2012	Second official letter from Pam Skaggs is sent to Brockway Engineering concerning additional information required for transfer application.
March 7, 2012	Additional information for transfer application is mailed to Pam Skaggs from Brockway Engineering.
	Transfer is given to Nick Van Dyke in the Boise IDWR office to be processed.
May 25, 2012	Brockway Engineering is told by IDWR staff that transfer 77712 is being sent back to the Southern IDWR office for processing.