



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 5, 2012

West Slope Farms Inc.
605 South 600 West
Burley, ID 83318

Gentlemen:

Our office recently received a transfer application in the name of West Slope Farms Inc. The application proposes creating an 884 acre permissible place of use on lands located within Section 1, Township 11 South, Range 21 East, and Section 6, Township 11 South, Range 22 East.

As part of the application, the authorized place of use of rights 45-2544, 45-7003, 45-11022, and 45-11196 will be changed. Examination of the currently recorded place of use of these rights indicates that these rights currently authorize the irrigation of 37.0 acres of irrigation within Lot 1 (NENE) of Section 6 (T11S, R22E). The application proposes transferring a portion of the 37.0 acres from Lot 1 (NENE) of Section 6 (T11S, R22E) and leave 32.1 acres to be irrigated within Lot 1. Examination of the deeds that were submitted with the application indicates that West Slope Farms apparently does not own the entire portion of Lot 1 (NENE) of Section 6 (T11S, R22E). In particular, there is a parcel of land approximately 5.2 acres in size located in the northeast corner of Lot 1 that does not appear to be owned by West Slope Farms. In order to continue to process the application, the Department needs the following information

- If West Slope Farms owns the 5.2 acre parcel, then proof of ownership (such as a deed) needs to be provided.

OR

- If someone other than West Slope Farms owns the 5.2 acre parcel then proof of ownership (such as a deed) needs to be provided showing who owns the parcel and a quitclaim deed from the owner of the parcel conveying their interest in rights 45-2544, 45-7003, 45-11022, and 45-11196 to West Slope Farms &/or Leroy and Peggy Jarolimek needs to also be provided.

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During the initial processing of the application it was noted that rights 45-2544, 45-7003, and 45-11022 are owned by West Slope Farms and right 45-11196 is owned by Leroy and Peggy Jarolimek. The two rights (portions of 45-7084B and 45-12884) being transferred from the south will be owned by West Slope Farms. The land comprising the proposed 884 acre permissible place of use is owned by West Slope Farms (Section 6) and Lerory and Peggy Jarolimek (Section 1). Typically water rights are owned by the owner of the underlying land and can be conveyed via sale of the underlying land. West Slope Farms and Lerory and Peggy Jarolimek may want to consider executing documents that more clearly define the ownership of the water rights involved with this transfer.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner", written over the printed name.

Corey Skinner, PE
Water Resource Engineer

cc: Greg Sullivan – Brockway Engineering