



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

August 30, 2011

Gary Spackman
Interim Director

Steven Adams
2215 W 1100 S
Sterling, ID 83210

copy

Dear Mr. Adams;

It was a pleasure speaking with you the other day, as requested I am sending you written verification of the discussion we had regarding the water rights for the property owned by yourself and the property owned by Don & Ruth Adams.

Water Right No 35-2013

The Current Point of Diversion for this water right is Township 04S, Range 32E, Section 33 in the NW of the SW quarter (PLS). The source of water for this right is listed as an unnamed stream tributary to the Snake River (also known as Spring Creek/Alkali Creek).

From our discussion it was determined, that the new irrigation pond will be located in the same PLS as is currently listed on your water right, and the only change to the diversion is water will now be diverted to the irrigation pond instead of down the ditch. Therefore it was determined that you DONOT need to complete a transfer on this water right.

It was also determined that you do not need to change your right to incorporate a pond, because "A water right permit is not required to construct and use a pond or ponds that are part of a system used to distribute and use water in accordance with a valid water right if the pond or ponds do not impound a larger volume of water than authorized for diversion within a 24 hour period under the water right or rights associated with the project (Pond Memo, 2003)."

Water Right No 35-2207, 35-2030 & 35-11033

The above reference water rights are being changed in transfer #77478 to a point of diversion located in Township 04S, Range 32E, Section 32 of the NE of the NW of the NE quarter. The source of this water is listed as an unnamed drain and an unnamed stream (also known as Spring Creek/Alkali Creek).

It was also determined that these rights do not need to be changed to incorporate a pond, because "A water right permit is not required to construct and use a pond or ponds that are part of a system used to distribute and use water in accordance with a valid water right if the pond or ponds do not impound a larger volume of water than authorized for diversion within a 24 hour period under the water right or rights associated with the project (Pond Memo, 2003)."

If you need anything further, please let me know.

Sincerely,

Kerrie Mathews
Water Resource Agent