



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 7, 2010

Wynn Dewsnap Family Trust
PO Box 767
Rupert, ID 83350

RE: App For Transfer 76136 (Irrigation)

Dear Mr. Dewsnap;

The first thing I have to do in reviewing your application is to determine what land has been irrigated during the last five years so that a total acreage limit can be included in the approval conditions for all of your water rights. I have looked at all the available aerial photos of your property, and have developed a shape of the irrigated land based on my ability to interpret the photos. We do not have photos for all five years (2005 to 2009), and it has been difficult to figure out what was going on with some land outside of obvious pivot sprinklers. Some land was only irrigated for one year, but that is enough to be included in the shape (the purple line on the enclosed photos). The enlarged views show the 2009 fields, but some land (such as under end guns) was only irrigated in 2006 or 2007.

Please review the enclosed photos carefully, and let me know if you think that additional land should be included. Your proposed transfer includes land that is outside the purple lines, which is fine. The purpose of this letter is to determine the historic place of use, not the future place of use. The shape does NOT include the land that is proposed to be dried up for your feedlot expansion and for the new dairy. I would be happy to meet with you to discuss this matter, as I would prefer that we agree on what this historic use is so that the overall limit can be established correctly. We do not have data for 2005 or 2008, so I can certainly consider additional data if you have it available.

Regards,

James E. Stanton
Sr. Water Resource Agent



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June 11, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

WYNN DEWSNUP FAMILY REVOCABLE TRUST
PO BOX 767
RUPERT ID 83350

RE: Transfer 76136 (irrigation)

Dear Mr. Dewsnup:

A recent examination of pending applications in our office revealed that a water right transfer application, filed in the name of the Wynn Dewsnup Family Revocable Trust, is still pending. This particular application was received in November of 2009 to create a large Permissible Place of Use (PPU) involving 33 ground water rights in the Malta area used for irrigation purposes. It was originally assigned to Jim Stanton of our office. Jim has recently retired and this application has now been reassigned to me. A review of this application, and the water rights associated with the application, reveals several items that prevent the Department from processing the application.

Please submit a system diagram showing the water diversion and distribution system, per Item 7a on the checklist. This brings up another question; will the surface water diversions from Raft River and Clear Creek be co-mingled with the groundwater? About half of the place of use in this transfer was formerly owned by Arimo Corporation and transfer 73342 was approved in January of 2009 whereby all of their irrigation rights, both from surface water and groundwater, were co-mingled in the same system with overlapping places of use. (It also created a PPU of 2,104.4 acres limited to 1,642 acres each irrigation season. This 462 acre shortage of total irrigated acres will carry forward in your current transfer.) This current transfer lists only the groundwater rights from transfer 73342. There are also overlapping surface water rights associated with some of the other rights originally owned by the Stewarts or BHD properties. Please note that a transfer application must list all of the water rights for use in a common system that is proposed to be changed. Additional fees may apply.

The water rights involved in this transfer are owned by the Dewsnup Trust so ownership documentation of the rights was not necessary but there is an area in the PPU that is not covered by water rights in the name of the Trust, so documentation is needed for that area. The **SWSW (Lot 4) of Section 7** and the **NWNW (Lot 1)** and the **SWNW (Lot 2) of Section 18, T15S, R27E** were covered by right 43-2347. This right is owned by U S Geothermal, Inc and in the process of being transferred somewhere else. We need a deed showing the Dewsnup Trust owns the land underneath that right in order to include it in the PPU.

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Wynn Dewsnap Family Revocable Trust Transfer Letter
June 11, 2010

In summary, the transfer application that is currently filed has several items that prevent the processing of the application. In addition, there are several additional items relating to the application, or the rights involved with the application, that also need to be addressed.

If the items outlined in this letter are not addressed within 30 days of the date of this letter (July 30, 2010) the Department will take action to reject or deny the application. Please note that this potential action will not prejudice the processing of any future applications that might be filed involving the water rights involved with this application.

If you have any questions feel free to contact our office at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeanie", written in dark ink.

Jeanie Robertson
Senior Water Resource Agent

CC: Agtec Engineering and Environmental Associates



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December 7, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

WYNN DEWSNUP FAMILY REVOCABLE TRUST
PO BOX 767
RUPERT ID 83350

RE: Transfer 76136 (irrigation), 76130 (feedlot)

Dear Mr. Dewsnap:

A recent examination of pending applications in our office revealed that two water right transfer applications, filed in the name of the Wynn Dewsnap Family Revocable Trust, are still pending. A review of the applications reveals several items that prevent the Department from processing them.

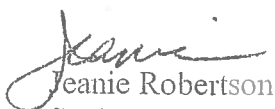
Application **76136** seeks to create a large Permissible Place of Use (PPU) involving 33 ground water rights in the Malta area used for irrigation purposes. As you recall, Allen Merritt and I visited the farm last July & August and with your help, we confirmed the location of the wells. We also discussed adding the surface water rights to the transfer and I sent a list of the rights to be included to Matt Thompson. We requested a system diagram showing the pipelines and how all of the points of diversion will be interconnected. Additional fees of \$640.00 will be required.

Application 76130 is for the feedlot. I sent an email attachment in August for the feedlot transfer which added the two domestic rights (43-13536 & 43-13537) with a reminder that it would need to be re-advertised and an additional \$50.00 would be required.

In summary, the transfer applications have several items that prevent their processing. If the items outlined in this letter are not addressed within 30 days of the date of this letter (January 6, 2011) the Department will take action to reject or deny the applications. Please note that this potential action will not prejudice the processing of any future applications that might be filed involving the water rights involved with this application.

If you have any questions feel free to contact our office at your convenience.

Sincerely,



Jeanie Robertson

Senior Water Resource Agent

CC: Agtec Engineering and Environmental Associates



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 20, 2011

WYNN DEWSNUP FAMILY REVOCABLE TRUST
PO BOX 767
RUPERT ID 83350

RE: Transfers 76136 & 77102 (irrigation/surface water diversions)

Dear Mr. Dewsnap:

Thank you for returning the signed transfer application (77102) and fees promptly. We should be able to advertise and complete the processing of both transfers very soon.

I also wanted to let you know about the following additional requirement. IDWR has determined in those transfer situations where there is proposed to be a Permissible Place of Use (PPU) created with an acre limit less than the PPU acres where IDWR is going to apply the 206 condition or some variation of....

This right is limited to the irrigation of a specific <688.0 acres> within the <912.6 acre> place of use authorized by this right in a single irrigation season. The specific <688.0 acres> to be irrigated by the right holder <shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right> <are shown in the electronic shape file associated with this right> in the geographic information system component of the water rights database maintained by the department. Before changing the <688.0 acres> to be irrigated within the <912.6 acre> place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Your transfers identify of total PPU of 4,907.4 acres and will be limited to 4,227.3 irrigated acres within any one irrigation season. Please submit a land list and map showing where the 4227.3 acres within the 4907.4 ac PPU will be located. (I have enclosed a recent aerial photo of your farm and crossed out the areas which are not included in the 4907.4 total place of use. You can draw around the pivots and other fields to be included for the 4227.3 acres within if that would help.)

We will hold approval of the transfer until the requested information is provided. If you have questions, feel free to contact me at the office.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

