



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 25, 2011

Aardema Farms LTD Partnership
2306 E 3600 S
Wendell, ID 83355

Gentlemen:

A recent review of water right applications in our office revealed that you have an unresolved pending transfer application, # 74896, filed with the Idaho Department of Water Resources (IDWR). The application was originally filed in July of 2007 and amended in August of 2009. The application proposes converting a portion of irrigation water rights to stock water and commercial uses associated with the expansion of a dairy in the Southwest ¼ of the Southwest ¼ of Section 11, Township 07 South, Range 17 East, in Jerome County. Documents in the file indicate that this dairy facility may be known as the "old Sauer Dairy". A recent review of the transfer application revealed issues and/or incomplete items that make it unacceptable for processing. As a result, we are returning the transfer application. If a corrected application is not received within 30 days of the date of this letter the department will initiate a refund of the \$250.00 filing fee to TSK Enterprises (paid via TSK Enterprises check # 2036 per IDWR receipt S030285).

The application indicates that the property involved with the application is subject to a lien, deed of trust, mortgage, contract, or other encumbrance. Note that if the property involved with a transfer application is subject to a lien, deed of trust, mortgage, contract, or other encumbrance, a notarized statement, or a statement on official letterhead, agreeing to the proposed change(s) signed by an authorized representative of the holder of each lien, deed of trust, mortgage, contract, or other encumbrance must be included with the application. Examination of the application file indicates that this authorization was never submitted with the application. Without this authorization, IDWR cannot process the application.

The application indicates that three wells will be utilized to provide water to the proposed system. However, there is a copy of an e-mail in the file from Gary Funderburg of TSK Enterprises indicating that there are only two wells utilized in the system. The water rights involved with the application allow domestic use for three homes, but it appears that there are four homes actually associated with the property involved with the application. The maps included with the application do not clearly indicate the number and/or the location of the wells, or the location of the domestic, stock water, and commercial places of use.

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

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosures

cc: Gary Funderburg – TSK Enterprises – w/o Enclosures