

Van Bussum, Monica

From: Yenter, Cindy
Sent: Thursday, June 02, 2011 3:09 PM
To: Van Bussum, Monica
Subject: RE: 36-7945 (Mountain View Land LP) lease app
Attachments: 36-7945 memo.pdf

Yes, I believe this right to be entirely supplemental. Here is the memo I wrote a few years ago. A copy should be in the files, but who knows. I found it profiled under 36-7275, a formerly associated right. This should be enough comment from me

From: Van Bussum, Monica
Sent: Friday, May 13, 2011 5:22 PM
To: Yenter, Cindy
Subject: 36-7945 (Mountain View Land LP) lease app

Hi Cindy,

I may need some help with a forfeiture analysis on this one. They are applying to lease 0.2 cfs/40.8 AF/10.2 ac to the Bank. It was partially decreed in 1998. It was leased to the Bank in 2006. A condition on the partial decree says, "Use of this right is combined with water from A&B Irrigation Dist."

This looks like it may be supplemental, in which case we are not likely to accept it. Can you help and do you have WM comment?

Thanks!

Monica

Robertson, Jean

From: Robertson, Jean
Sent: Thursday, April 30, 2009 11:41 AM
To: 'Greg Sullivan'
Subject: RE: Whitesides
Attachments: 36-7275.pdf

Greg,

Here is the memo that Cindy Yenter did in analyzing these lands and why we feel that the second right should be considered **supplemental**. Jeanie

From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
Sent: Wednesday, April 29, 2009 8:52 AM
To: Robertson, Jean
Subject: Whitesides

Jeanie,

I talked with Dan Temple this morning and confirmed that they delivered 409 acre feet of groundwater in 2005 to Track B. A&B has stated that there are 274.1 irrigable acres in Track B. A&B assumes 3 acre feet per acre of irrigation. Therefore, $409/3=136.3$ acres irrigated by A&B in 2005. In the 274.1 irrigable acres there is allowed by 36-7275 and 36-7945 to be irrigated 139 acres. $274.1 \text{ acres} - 139 \text{ acres} = 135.1 \text{ acres}$. I think that the 136 acres and the 135 acres are close enough to say that in 2005, which was the last year that 36-7275 and 36-7945 was used to irrigate crops in Track B, 36-7275 and 36-7945 irrigated as primary water rights in combination with A&B Irrigation water. Therefore, 36-7275 and 36-7945 should be considered by IDWR as primary irrigation water.

Will IDWR accept this analysis and allow these water rights to be transferred as primary groundwater rights?

I am planning to amend a portion of the transfer in which I turned in. I want to transfer the 31.3 acres of 36-7275 that was set aside for the 2007 water call that was cancelled and a 33.7 acre portion of the 82.7 acres currently in the water supply bank for 36-7275. I will still be transferring all 65 acres from 36-7275, but just protecting the entire right from any forfeiture issues.

Please send me a response from IDWR as soon as possible.

Thanks for the help,

Greg Sullivan
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Office: 208-736-8543
Fax: 208-736-8506

4/30/2009