

## Robertson, Jean

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**From:** gary funderburg [denisekayf@cableone.net]  
**Sent:** Friday, February 04, 2011 6:44 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfers

BOTH PLEASE. GARY

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Friday, February 04, 2011 8:26 AM  
**Subject:** RE: G&H Transfers

Gary,  
Are you wanting copies of both transfers or just the one you recently dropped off? Jeanie

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Tuesday, February 01, 2011 7:44 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfers

Jeanie,  
I'll have him sign them both again.  
Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Tuesday, February 01, 2011 3:43 PM  
**Subject:** G&H Transfers

Gary,

I got the pages you left with Carrie. In looking over things though, I can't seem to find the **original signature pages** for either transfer, even the one that is ready for Cindy and then approval by Allen. The page 2 or signature page you submitted with the first transfer is actually blank. I have a faxed signed page I could stick in there but near the bottom under Purpose of Transfer, it states: *Applicant wishes to transfer irrigation water for Commercial/Stock water use.* As I recall, you had mistakenly put that as the **purpose on both transfers**, then corrected that on the first transfer but that corrected page is not signed. That could be a problem if someone like Pam does a quality control check cause it is supposed to have a signed signature page. Somehow we need to get the correct purpose on the page with the signature. All I seem to have is faxed copies. Don't suppose you want to have him sign a new page for each if you can't find the originals?  
Jeanie

## Robertson, Jean

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**From:** Robertson, Jean  
**Sent:** Monday, January 31, 2011 10:48 AM  
**To:** gary funderburg  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Gary,

I had told you this before but there is an error on page 3 under right 36-8396. You have the rate as **0.02 cfs**, but it is actually **0.20 cfs**. This in turn would make the total diversion rate of **0.41** instead of 0.23. (Same fee would apply.) **The same rate mistake is on page 5 of the part 2 for right 36-8396.**

Are you sure you only want to transfer 0.1 cfs from the irrigation right 36-7847. (It was licensed for 0.56 and you are aware that the rest will just go away upon approval of this transfer?) That rate of 0.1 cfs will produce the 56.28 AF and if all they think they will ever need is the 0.41 cfs from the three wells, then that will work...but if you wanted to put the rate from that right as the 0.56 cfs it was licensed for, we could use the 0.56 cfs as the total diversion rate for the transfer and the same fee would still apply.

So far, that is all I found.

Jeanie

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Saturday, January 29, 2011 5:52 AM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

I left the rest of the transfer out front with Mary. Please call me if there is any more data needed. When you feel you have all the material you need, Please send me a copy and a receipt for the filling fee. Thank You, Thank you for your great help.

GARY

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Thursday, January 27, 2011 12:15 PM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Use the diversion rate and \$250.00

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Thursday, January 27, 2011 12:11 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

When I added up the amount of water by cfs the cost for the application would be \$250.00, but when I added up the ACFT the cost was \$290.00, which one do I submit??

Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Monday, January 24, 2011 10:48 AM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Gary,  
Got the fax you sent with the MetLife release...Jeanie

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Sunday, January 23, 2011 11:36 AM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

Would check and see if I did not submit the affidavit from G&H ? I have everything else. It maybe with the material I last submitted for the first application.

Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Tuesday, January 18, 2011 10:44 AM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Gary,

Was looking at the old emails regarding this transfer and it looks like we need the release from Met Life which you supposedly have, a decision on what rights you are adding and what rate you want to go with and the corresponding fee, and did you ever get a new affidavit about resuming the right as dairy/commercial when they purchased it in 2004? The old one says they resumed as irrigation which we know as not true. Jeanie

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Friday, January 14, 2011 7:38 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

I would like to finish up the 2nd transfer for G&H Dairy when you find time. I will come in with all the pappers.  
Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Thursday, January 06, 2011 8:06 AM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Okay, I got that page...why don't you fax me a copy of that MetLife letter and I can put one in this transfer too?

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Wednesday, January 05, 2011 4:38 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

JEANIE,  
It has been sent.  
Thank you  
Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Wednesday, January 05, 2011 3:40 PM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

That should be fine.

**From:** gary funderburg [mailto:denisekayf@cableone.net]  
**Sent:** Wednesday, January 05, 2011 3:04 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

JEANIE,

Can we send you a fax copy of Page 3???

Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Wednesday, January 05, 2011 8:12 AM  
**Subject:** G&H Transfer 76977 (adding the well)

Gary,

I'm pretty much finished with this transfer but noticed that there is an error on page 3, where you listed the legal description of the wells. The third well - #3 A005527 lists the Township as 15E and I think it should be 08S like the other two. If you want to send me a new page with the correction, I can substitute it cause as of now Mary hasn't scanned anything. I can just replace it before she does. Still haven't seen the letter from MetLife either... Jeanie

## **Robertson, Jean**

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**From:** Robertson, Jean  
**Sent:** Tuesday, January 25, 2011 9:16 AM  
**To:** gary funderburg  
**Subject:** RE: G&H Transfer 76977 (adding the well)

That sounds right. A new page one listing all the rights involved, the diversion rate you want and the corresponding fee...

**From:** gary funderburg [<mailto:denisekayf@cableone.net>]  
**Sent:** Monday, January 24, 2011 6:27 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

All I need for you then is a check for \$ ? and the page with the total water use.

Is this correct??

Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Monday, January 24, 2011 10:48 AM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Gary,

Got the fax you sent with the MetLife release...Jeanie

**From:** gary funderburg [<mailto:denisekayf@cableone.net>]  
**Sent:** Sunday, January 23, 2011 11:36 AM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

Jeanie,

Would check and see if I did not submit the affidavit from G&H ? I have everything else. It maybe with the material I last submitted for the first application.

Gary

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Tuesday, January 18, 2011 10:44 AM  
**Subject:** RE: G&H Transfer 76977 (adding the well)

Gary,

Was looking at the old emails regarding this transfer and it looks like we need the release from Met Life which you supposedly have, a decision on what rights you are adding and what rate you want to go with and the corresponding fee, and did you ever get a new affidavit about resuming the right as dairy/commercial when they purchased it in 2004? The old one says they resumed as irrigation which we know as not true. Jeanie

**From:** gary funderburg [<mailto:denisekayf@cableone.net>]  
**Sent:** Friday, January 14, 2011 7:38 PM  
**To:** Robertson, Jean  
**Subject:** Re: G&H Transfer 76977 (adding the well)

## Robertson, Jean

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**From:** Robertson, Jean  
**Sent:** Wednesday, November 17, 2010 10:03 AM  
**To:** gary funderburg  
**Subject:** RE: G & H Dairy transfers...

Gary,

We talked a little about this fee thing this morning and Cindy mentioned that if you go with the lower fee for the 400 gpm that she will require a flow meter on that well so she can regulate it and make sure that it continues to only pump 400 gpm. So they could save a little on the fee up front, but they will have that added expense later. Jeanie

**From:** gary funderburg [<mailto:denisekayf@cableone.net>]  
**Sent:** Monday, November 15, 2010 5:24 PM  
**To:** Robertson, Jean  
**Subject:** Re: G & H Dairy transfers...

HI JEANIE,

I would like to get the one transfer (adding a point of diversion) filed ASAP. Is there any thing else I need to bring you. Chad at Met Life is working on the letter for you from the legal department. I will bring it in when they send it to me for the other transfer.

GAry

----- Original Message -----

**From:** Robertson, Jean  
**To:** gary funderburg  
**Sent:** Wednesday, November 10, 2010 12:44 PM  
**Subject:** G & H Dairy transfers...

Gary,

For the transfer where you are adding that extra well to the two irrigation rights, on page 2 of the application at the bottom under A. Purpose of transfer, you have everything checked under Item 1. and your proposal in narrative form under Item 2. says you are transferring irrigation water to Commercial/Stock water use. You need to fix those...

We can base the fee on the 400 gallons per minute if that's what you want but please change the statement from 700 to 400 on page 6. Be aware that we will also put a condition on the rights stating that only 400 gpm can be diverted from that well and a measuring device to make sure of that will be required. The fee would be \$250.00 for the 0.89 cfs that equates to. (It would be \$450.00 if we went with the full combined diversion rate of 5.36 cfs.)

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For the other transfer, since you can't locate any power records, we could only allow the lowest amount of 2.01 AF/ac on the 28 acres of irrigation for a total of 56.28 AF to convert to the Comm/Stk use at the dairy.

There are two existing domestic rights (36-11402 and 36-14755) at the dairy site besides existing license 36-8396. You may want to consider adding all three to the transfer? The license lists the two wells in the NENENE of Section 18 where you are transferring irrigation right 36-7847 and one of those two wells is also the point of diversion for D&S right 36-11402. You said they claim that the other domestic well by the house for right 36-14755 is **not** hooked to the dairy system but only the corrals. Cindy feels that that is a part of the entire system and should also be included and said she will still require a measuring device on that domestic well even if it isn't included. By adding all three rights to the transfer, it will also add that extra point of diversion to the rights and quantify some additional AF from the domestics for the dairy. She said to remind you of the Last Ranch rights in Dietrich where they said a well wasn't connected and then it was later discovered that it was pumping way over its limit and another transfer had to be filed to add that well into the system. If the license and the domestic rights are not added to the transfer, we will treat them

## Robertson, Jean

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**From:** Robertson, Jean  
**Sent:** Friday, November 12, 2010 12:32 PM  
**To:** IDWR Fax Southern  
**Subject:** RE: incoming fax - 736-3037

In trying to figure out the diversion rate, looks like the system for the two wells, which includes rights 36-8396 and domestic 36-11402, was measured at a capacity of 0.33 cfs during the field exam. Right 36-8396 was licensed for 0.20 and the domestic is 0.07 so the rights now from the two wells authorize up to 0.27 cfs. When you add the other domestic well, that could add another 0.04 cfs and however much more they want to add from right 36-7847 – 0.56 cfs for the three wells. The Agtec Requirement sheet shows 0.2 cfs and 142.0 AF needed for the facility.

Guess it depends on whether or not they might eventually want to put bigger pumps in and have a larger diversion rate? They can transfer up to 1.0 cfs and still pay the \$250.00 fee. If they transferred in the entire 0.56 from the irrigation right, we could use that as the total rate and limit everything to 0.56 cfs for the \$250.00 fee. The volume would be the 56.28 AF allowed from right 36-7847 plus the 71.6 AF from right 36-8396 = 127.88.

(On the sheet you faxed, you show right 36-8396 with a diversion rate of **0.02** cfs but it should be **0.20** cfs!)

Call if you have questions??

**From:** Fawcett, Trish **On Behalf Of** IDWR Fax Southern  
**Sent:** Friday, November 12, 2010 10:29 AM  
**To:** Robertson, Jean  
**Subject:** FW: incoming fax - 736-3037

**From:** [IdwrFaxSouth@idwr.idaho.gov](mailto:IdwrFaxSouth@idwr.idaho.gov) [<mailto:IdwrFaxSouth@idwr.idaho.gov>]  
**Sent:** Friday, November 12, 2010 10:48 AM  
**To:** IDWR Fax Southern  
**Subject:** incoming fax - 736-3037

## Robertson, Jean

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**From:** Robertson, Jean  
**Sent:** Wednesday, November 10, 2010 12:45 PM  
**To:** gary funderburg  
**Subject:** G & H Dairy transfers...

Gary,

For the transfer where you are adding that extra well to the two irrigation rights, on page 2 of the application at the bottom under A. Purpose of transfer, you have everything checked under Item 1. and your proposal in narrative form under Item 2. says you are transferring irrigation water to Commercial/Stock water use. You need to fix those...

We can base the fee on the 400 gallons per minute if that's what you want but please change the statement from 700 to 400 on page 6. Be aware that we will also put a condition on the rights stating that only 400 gpm can be diverted from that well and a measuring device to make sure of that will be required. The fee would be \$250.00 for the 0.89 cfs that equates to. (It would be \$450.00 if we went with the full combined diversion rate of 5.36 cfs.)

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For the other transfer, since you can't locate any power records, we could only allow the lowest amount of 2.01 AF/ac on the 28 acres of irrigation for a total of 56.28 AF to convert to the Comm/Stk use at the dairy.

There are two existing domestic rights (36-11402 and 36-14755) at the dairy site besides existing license 36-8396. You may want to consider adding all three to the transfer? The license lists the two wells in the NENENE of Section 18 where you are transferring irrigation right 36-7847 and one of those two wells is also the point of diversion for D&S right 36-11402. You said they claim that the other domestic well by the house for right 36-14755 is **not** hooked to the dairy system but only the corrals. Cindy feels that that is a part of the entire system and should also be included and said she will still require a measuring device on that domestic well even if it isn't included. By adding all three rights to the transfer, it will also add that extra point of diversion to the rights and quantify some additional AF from the domestics for the dairy. She said to remind you of the Last Ranch rights in Dietrich where they said a well wasn't connected and then it was later discovered that it was pumping way over its limit and another transfer had to be filed to add that well into the system. If the license and the domestic rights are not added to the transfer, we will treat them as Associated rights and add some new conditions. As it stands with only right 36-7847 in the transfer, the fee would be \$100.00 for the 0.1 cfs. If you add the others, it would be 0.38 cfs and \$250.00.

Jeanie

**From:** gary funderburg [<mailto:denisekayf@cablone.net>]  
**Sent:** Tuesday, November 09, 2010 6:28 PM  
**To:** Robertson, Jean  
**Subject:** Re: Manning stuff...

Hi Jeane,

Sorry I never got back to you. I have leave to Boise Wenesday to the Hosptal for my back. You email me what you need and I will have the lap top with me. I have a photo showing the pivot. I will see that you get all this data ASAP. If the 400 gpm can be used for the filing fee as Corey said we would save some money. Let me know what you find out.

Gary