



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

March 14, 2011

JERRY &/OR KAYLA ISAAC
28283 SHOO-FLY CUT-OFF RD
BRUNEAU ID 83604

Re: Application for Transfer of Water Right Nos. 51-13071 and 51-13073

Dear Applicants:

You recently filed a transfer application using the Idaho Department of Water Resources (IDWR) new short form designed for your situation – changing the point of diversion for your water rights. Thank you for being one of the first to try that new form – I hope you found it quick and easy to use. You also requested your application to be expedited for this irrigation season. I started processing the application the other day to accommodate your request. Unfortunately, I discovered your application cannot be approved as explained below.

Your water rights are associated with a low temperature geothermal well, originally known as the Tilby Well producing 90° F water. Your domestic well proposed for irrigation use is a cold water well producing 64° F water. Copies of the first and last pages of the Tilby well log plus your well log are enclosed.

Those wells represent separate sources, which in this case are the "hot" and "cold" aquifers. A transfer involving separate aquifers cannot be approved. Additionally, your area is within the Bruneau-Grandview Ground Water Management Area established in 1982 to protect declining water levels, regardless of water temperature. This means water is not available for a new irrigation water right, precluding that option to resolve the problem.

The good news is a temporary solution might be available for a few years, providing time to find a permanent solution. The temporary solution involves renting water from the Water Supply Bank, which involves a modest annual cost. An approved rental would allow you to irrigate with your well. I have enclosed a water bank application to get you started on that path. Please contact Monica Van Bussum at the IDWR State Office in Boise (208-287-4907) for water bank help.

A permanent solution involves transferring an irrigation right from a cold water well to your property. This probably would require expert help available from the enclosed consultant list.

Jerry &/or Kayla Isaac
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I am returning your application since it cannot be approved. A refund of the \$100 application fee you paid will soon be issued by the Idaho State Controller office. I regret your transfer application could not be approved. Please contact me at 208-334-2190 if you have any questions or need more help.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive, with the first name "Steve" and last name "Lester" clearly distinguishable.

Steve Lester
Water Rights Supervisor

Enclosure

Cc: Monica Van Bussum, IDWR State Office