



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 7, 2011

Columbia River Farms
4182 W Braveheart Ln
Eagle, ID 83616

COPY

Re: Application for Transfer No. 76427

Dear Applicant:

This office received your application for transfer to change a water right referenced above. Upon review, there are areas of the application that require clarification and/or completion. Please submit an amended application and additional information to allow for further processing.

Please amend the application to address the following:

- Part 1 of the application does not include a title of the individual who signed the application. Any application filed in the name of a business entity or organization requires the title of the person signing the application. Also, please submit documentation of the officers authorized to sign or act on behalf of Columbia River Farms as Part 1 of the transfer application (underneath the mailing address) instructs.
- Part 1 B item no. 1 description of right 63-32692 indicates the right authorizes diversion of 1.42 cfs, but only 1.41 cfs is authorized. Also, right 63-32694 authorizes stockwater use, which is not listed as a use on the transfer application. This use should be included in the description of this right. Part 1 B item no. 4 should also indicate the proposed place of use for stockwater. Please submit an amended application accordingly.
- Part 1 B item no. 4 [the proposed permissible place of use (PPU)] includes 2 acres in the SENW 14 T2N R3W, which appear to be separate tax lot(s) than the current place of use (PU) where irrigation has historically occurred. 2 acres should be removed from the proposed PPU if not owned by the applicant or the applicant does not have authorization from the property owner to possess a water right(s) on the property. Please amend the application to address this, or submit documentation authorizing the applicant to possess a water right(s) on the property.
- Part 1 B item no. 5c indicates the property is subject to a lien, deed of trust, mortgage, or contract. Please submit a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6 as the transfer application directs.

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- The map indicating the proposed PPU (Attachment 7b) should be amended to exclude the 2 acres in the SENW Sect 14 T2N R3W as discussed above. The map does not need to be amended if the applicant submits documentation authorizing the applicant to possess a water right(s) on the property.

Please submit additional information to address the following:

- Attachment 2b, the Special Warranty Deed, indicates Intermountain Community Bank conveyed the property (including water rights i.e. appurtenances) to North Gate Partners, Inc. not Columbia River Farms. If it is your intent to transfer ownership of the rights from Intermountain Community Bank (current water right owner of record) to Columbia River Farms, please submit property ownership documentation indicating Columbia River Farms is the current property (including water rights) owner.
- Rights 63-32685, 63-32689, 63-32691, and 63-32693 resulted from splits done via processing of an ownership change for the water rights associated with the current PU property (portions of the original parent rights were withheld by the previous owner in the sale of the property). These rights have the same PU as the rights proposed for transfer. Please submit information to verify it is not your intent to use any of these rights for irrigation within the proposed PPU.
- Attachment 7a indicates the proposed integrated system is designed to irrigate up to 255.59 acres. Should the transfer application be approved, irrigation within the PPU would be limited to a maximum of 211.9 acres during the irrigation season. Please submit information confirming it is not your intent to irrigate more than 211.9 acres.
- Please submit information indicating if the well to be added as a point of diversion (PD) in the NWSWNE Sec 10 T2N R3W has already been constructed or if it is a well you are proposing to drill. If the well has already been constructed, please submit information indicating whether or not it is used as a PD for right 63-3597K (Shayne Prather owner), permit 63-12007 (Miers C Johnson III), and or any other water rights.

Please submit an amended application (or make an appointment to come in and amend the original application) along with the additional information requested to allow for further processing of this application, if the applicant wishes to proceed. Your response, or a request for more time to make your response, must be received within 30 days from the date of this mailing. The application will be rejected without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,



Angela M. Grimm, P.G.
Water Resource Agent, Sr.