



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 28, 2010

VIC CONRAD
J R SIMPLOT
PO BOX 27
BOISE ID 83707

RE: Application for Transfer #73890 on Right #63-10029

Dear Mr. Conrad:

On May 26, 2010, the Department received a letter from Mr. Robert Friday, the previous owner of the above water right. That letter satisfies the Department's request for information with which to substantiate the historic consumptive use of the right. Based on the field exam and the information provided by Mr. Friday, I have calculated a volume that I believe is available for this transfer. That volume is 76.4 acre-ft and is derived from 100% consumption of the authorized water during the commercial, mint distillation season.

The calculation is: 0.67 cfs for 15 hours of a 24-hour day for 92 days (June 15-September 15) multiplied by 1.98 to convert from cfs to acre-ft.

This new volume means a significant change to the division of water proposed by Transfer 73890 and may influence whether or not your client proceeds with a transfer process. **Please confirm within 14 days of the date of this letter that your client wishes to continue with this water rights process.**

As I stated in my February 18, 2010 letter to Mr. Sterling, the intended uses for this transfer appear to be diversion to storage and wildlife and aesthetic storage in a pond. If your client intends to proceed, it would be to his advantage to amend the application. To facilitate discussion of the available options and to expedite a revision to the transfer application, I would be happy to provide my office space and computer access or reserve a conference room at the Water Center.

Respectfully,

Michele Edl
Associate Engineer

C: Sterling Landscape