



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 10, 2008

Brockway Engineering PLLC
ATTN: Charles G Brockway
2016 North Washington St Suite 4
Twin Falls, ID 83301

RE: App For Transfer 73740, V & L Dairy

Dear Chuck;

Boise has finally approved the transfers that were holding up the processing of this application, so I will be actively reviewing this transfer. The immediate problem that I see is that the water right shown as the basis for the transfer no longer exists. Right 36-16637 is the Veenstra portion of 36-2352, but it is not appurtenant to the land proposed to be dried up. Right 36-7274 covers some of the land to be dried up, and is owned by Veenstra. Rights 36-16507 & 16509 appear to cover some of the land being dried up, but are held by Luis Bettencourt. This is canal country, so the question of supplemental groundwater usage always comes up; the recommendation for 36-2352 even states that canal shares are also used on the property.

The file contains no ESPA model analysis, even though the to and from wells are in non-adjacent grids in the new model.

Let me know how you want to proceed.

Regards,

James E. Stanton
Sr. Water Resource Agent