

MEMORANDUM

Date: September 2, 2010
To: Transfer File 76159
From: Nick Van Dyke
Re: Telephone Conversation Regarding Transfer 76159, Various Other Issues

On Monday, August 30th 2010 I had a phone conversation with John Lezamiz, general member/partner of Notch Butte Farms LLC, applicant for the transfer. We discussed 3 questions the Department had with the applications as proposed:

1. Enlargement concerns regarding 36-16140
2. Was a new well being drilled or was the water being transferred going into the same system as 36-2156, 36-2735B, and 36-7648 diverted from (existing rights on the proposed place of use in the transfer)?
3. Updated conditions per current Department standards were needed on the transferred rights

1) Enlargement Concerns: As explained in an 8/20/2010 email from the watermaster of district 130 (note this was not official watermaster comment), as proposed the transfer enlarges 36-16140. Right 36-16140 is an enlargement right (see Idaho Code 42-1426) based off of 36-16138. 36-16138 is intended to be split and a portion moved to ground owned by the transfer applicant. Transfer further proposes to transfer all of 36-16140 with that portion of 36-16138 moving to the new farm – effectively separating the enlargement right from a portion of the senior right it's based off of – an enlargement. To alleviate this, the enlargement right has been reduced to keep the rate and volume per acre of irrigation the same as pre-transfer.

2) Well Question: Per the August 30th conversation, it is intended that the incoming water will be pumped from the existing system supplying 36-2156, 36-2735B, and 36-7648 (see the attached map; map supplied with application, attachment #7a, is incorrect). No new well will be drilled. Important to note the section the two wells of this system lie within (Section 4 T07S R17E) is a correction section of the GCDB. The northern row of 40-acre tracts is absent.

3) Conditions: Conditions will be updated per current Department standards.

This memorandum supplements some of the original review memo dated June 3rd 2010 (see file). All other review items, not discussed above, remain as outlined in that memo.



Idaho Department of Water Resources

Water Right

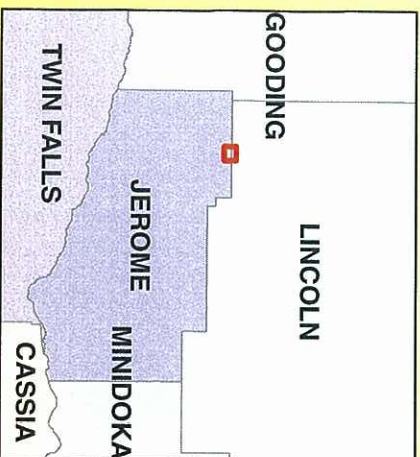
36-16839

36-16140

(IRRIGATION)

Legend

- points_of_diversion
- incoming_acres
- Township/Range
- Sections
- QQ



Jerome, Lincoln Counties
IDWR Basin 36

Prepared by: Nick Van Dyke
September 3 2010
2009 Aerial Photography

