

Merritt, Allen

From: Merritt, Allen
Sent: Wednesday, June 16, 2010 9:25 AM
To: 'Scott King'; 'Michael C Creamer'
Cc: Baldwin, Mary; Yenter, Cindy
Subject: RE: Meyers update
Attachments: Amended conditions for T75670.pdf

Scott,
After further consultation with the state office... attached is some slightly modified conditions for your review. We will move towards advertising this application in the near future.
Allen

From: Merritt, Allen
Sent: Friday, June 11, 2010 8:48 AM
To: 'Scott King'
Cc: Michael C Creamer
Subject: RE: Meyers update

Attached are some draft conditions. Do you see anything in these we might need to discuss? I think it captures what Scott and I were discussing.

From: Scott King [mailto:SKing@spfwater.com]
Sent: Monday, June 07, 2010 7:04 PM
To: Merritt, Allen
Cc: Michael C Creamer
Subject: Meyers update

Allen:

To recap our earlier telephone conversation, I understand that the department would accept that Meyers holds 110 acres of primary supply under 36-10301 per the map that I submitted earlier, and that the remainder of the right could be transferred from the Andrus parcel(s) as a supplemental water right. Mr. Meyers could transfer the supplemental portion to the current place of use and secure and use sufficient surface water to cover his use. As an alternative, Mr. Meyers could also acquire other primary ground water rights and transfer to this place of use. We are working diligently towards a permanent solution to this issue. In the meantime, we are investigating opportunities for utilizing the water bank to secure water for the 2010 irrigation season, either with some of Mr. Meyers other ground water rights and/or with other ground water rights that may be available for rent. I hope that I have summarized our conversation correctly. Please let me know if otherwise. We will get back to you shortly.

Thank you,
Scott

Scott N. King, P.E.
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Transfer Number 36-10301

- X54 The portion of Right 36-10301 in excess of 149.2 acres and 596.8 afa shall be considered forfeited through approval of Transfer 75670.
- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
- 214 Prior to the diversion and use of water under Transfer approval 75670, the right holder shall install and maintain an acceptable measuring device at the authorized point of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 213 Upon specific notification of the Department, the right holder shall install and maintain data a logger to record water usage information at the authorized point of diversion in accordance with Department specifications.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.