



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 4, 2010

Robert Meyers
3921 N 3300 E
Twin Falls, ID 83301

RE: App For Transfer 75670

Dear Bob;

Now that I understand how your well was historically used on this farm, I have been able to discuss this application with my supervisor. NSCC has confirmed that there are 125 canal shares appurtenant to this property, which I believe breaks down to 1.5 shares for the Andrus lawn, 103.5 shares for the Andrus land north of the canal, and 20 shares for your land south of the canal and north of your pivot. Since the groundwater right covers 176 acres, Allen has concluded that there were 52.5 primary groundwater acres at the time of licensing. Therefore, you can only irrigate 52.5 acres with your well without expanding the groundwater usage under your water right. Such enlargement is not allowed under the provisions of Sec. 42-222 of the Idaho Code.

In order for the transfer to be approved as filed, you will have to agree to notifying the Watermaster of which 52.5 acres you will irrigate each year. Or you could purchase additional groundwater rights that could then be added to your application so that additional acres could be irrigated annually with the well. Or you could move additional canal shares to the property for co-mingling with well water to cover all of the land you sprinkle south of the canal; your use of the well would still be limited to the standard volume allowed for 52.5 acres, however. Or you could propose some other option to deal with this problem.

Please consider your options, and let me know what you plan to do by February 3rd so that processing of your application can continue. If you need time to purchase additional shares or groundwater rights, it can be granted.

Regards,

James E. Stanton
Sr. Water Resource Agent