



State of Idaho

DEPARTMENT OF WATER RESOURCES

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July 13, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CHARLES E BROCKWAY
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2016 N WASHINGTON ST SUITE 4
TWIN FALLS ID 83301

RE: Transfer Application 73717 John Reitsma, Right No. 47-8011A

Dear Mr. Brockway,

As you are likely aware transfer application 73717 was filed some time ago and processing was delayed due to concerns expressed by staff in the Department's Twin Falls office regarding several items. I have had a chance to review the application and below will attempt to address several items in question. The application is available on IDWR's website for viewing/reference.

- **Canal Deliveries; Supplemental Conditions of Right 47-8011A:** In a Department March 19, 2007 letter concerns were expressed over the inconsistent use of Salmon River Canal Company (SRCC) water on the licensed place of use for 47-8011A, the NE¼ of Section 13 T12S R16E B.M.. As licensed, 47-8011A was conditioned instructing that the right holder shall make full beneficial use of all surface rights available to the right holder for irrigation of the lands authorized to be irrigated under 47-8011A (see the March 19, 2007 letter for the full text of the conditions). As noted in Part B.1. of the field examination for 47-8011A, SRCC water covers all 160 acres licensed under 47-8011A. Review of SRCC delivery information submitted with the application for the years 2000 thru 2005 shows fairly inconsistent use of SRCC water (please see summary tables in the March 19, 2007 letter). The inconsistent use of SRCC water appears to enlarge the use of groundwater rendering 47-8011A not in compliance with conditions of license approval and leaving the right unavailable to be transferred. Further explanation of how past use of SRCC water complied with the supplemental conditions of 47-8011A could possibly alleviate this concern.
- **Inclusion of Acre-Feet Pumped by Irrigation Well #2 (as referenced in the narrative):** As described in the supporting narrative and documentation of the application, the well located in the NWSE of Section 12 T12S R16E (referred to as IW-2) is to be included into the calculation of how much groundwater was pumped under 47-8011A. As permitted IW-2 was listed as a point of diversion for 47-8011 (later renumbered to 47-8011A thru assignment of permit); however during the time of the field examination the examiner found water diverted from IW-2 was designated for lands in Section 12 only. 47-8011A was licensed without IW-2 listed as an authorized point of diversion. The volume pumped from IW-2 cannot be factored into the calculations for how much groundwater was diverted under 47-8011A.
- **Crop Identified for Consumptive Use Value of Acres to be Transferred:** In the Estimate of Ground Water vs. Surface Water Irrigation attachment (estimate) the calculation for the number of acres to be dried for the transfer uses the consumptive value of alfalfa, the highest consumptive crop ever farmed on 47-8011A's place of use. Though it is standard practice in

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transfer processing to use the crop with the highest consumptive use value when drying/converting acres under a primary right, when drying/converting acres under a supplemental right an average annual historic consumptive use value is the basis for the volume available for transfer. In this case wheat, alfalfa, potatoes, barley, & corn were grown on 47-8011A's place of use in the years 2000-2005, according to the FSA crop records submitted with the application. The consumptive value used in the calculation for the acres to be dried/converted in this transfer should be based off an average of those crops.

- **Number of Irrigated Acres:** In the lower table on the estimate the number of irrigated acres for each year is given in the second column. It is a bit unclear how these numbers were determined when comparing them to the FSA crop records. For example, in 2001, 456.1 acres are given in the estimate table. In contrast the FSA report lists a total of 397.7 acres irrigated (tract numbers 31907, 31989, & 31444). Is there other evidence to support the additional acres given in the estimate, beyond what is listed in the FSA records?
- **2001 Groundwater Volume; Use of Diesel Pumps:** The estimate indicates that in 2001, Loughmiller (original applicant) took part in the Idaho Power buyout. To determine a volume amount for 2001, the estimate averaged the volume amounts from the years 2000 and 2002-2005. The estimate explains that diesel generators were used to pump groundwater; however no evidence was submitted to support this. Is there supporting material available to verify diesel pumps were indeed used?

Please feel free to call if you have any questions regarding the above items.

Sincerely,



Nicholas Van Dyke
Sr. Water Resource Agent