



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 19, 2007

John Reitsma
3586 US Hwy 93
Twin Falls, ID 83301

Dear Mr. Reitsma:

As you recall, you currently have two water right transfer applications filed with our office involving water right 47-8011A. The applications involve rights and property you purchased from Loughmiller Farms. Our Department has started the initial stages of reviewing the applications and has some concerns relating to the past use of canal water on the property. Note that water right 47-8011A, the right proposed to be transferred in the applications, contains the following conditions...

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Information that was submitted with the applications relating to Salmon River Canal Company allotments and deliveries to the property indicates the following...

Year	SRCC allotment (ac-ft per share)	Headgate 17C Delivery (ac-ft)	Headgate 17B Delivery (ac-ft)	Total Canal Delivery (ac-ft)
2000	0.481	265.0	0.00	265.0
2001	0.227	284.0	0.00	284.0
2002	0.436	236.0	64.0	300.0
2003	0.214	266.0	0.00	266.0
2004	0.425	264.0	210.0	474.0
2005	0.84	430.0	54.0	484.0

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If one considers the total canal delivery and the corresponding SRCC allotment for the year, the number of shares used on the property can be estimated...

Year	SRCC allotment (ac-ft per share)	Total Canal Delivery (ac-ft)	SRCC Shares Used
2000	0.481	265.0	551
2001	0.227	284.0	1251
2002	0.436	300.0	688
2003	0.214	266.0	1243
2004	0.425	474.0	1115
2005	0.84	484.0	576

The table above appears to indicate a rather inconsistent use of Salmon River Canal water on the property. This limited use of surface water appears to result in an enlarged use of ground water, which is not in compliance with the water right - and should not be used as a basis for the amount of ground water available for transfer. Our Department would like to provide the opportunity for you to comment and/or explain how the past use of canal water complied with the 47-8011A water right conditions (listed on the first page of this letter).

If you have questions, feel free to contact our office at your convenience.

Sincerely,



Corey Skinner, PE
Water Resource Engineer

cc: Charles E. Brockway - Brockway Engineering