



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 25, 2009

Water Well Consultants
6330 West 33rd South
Idaho Falls, ID 83402-5641

RE: App For Transfer 76097, Johnny Sudik

Dear Brian;

My initial review of this application has found the following issues: There is no map relating the FSA crop data to the field numbers. There is no dairy worksheet showing how the amount of water applied for was determined. The lienholder letter provided for the Funk property references the wrong water-right number; this needs to be corrected (the letter can reference the land being dried up instead of the right number involved). I could not find a water-sale agreement in the file; a generic agreement can be provided that does not specify exactly how much water Mr. Sudik will get, as this could change (or they could hold off on providing the agreement until the specifics are better known).

We discussed this application at our weekly staff meeting today, and it was determined that the first issue to be resolved is whether or not the groundwater being transferred is primary or supplemental on the land being dried up. I need to view the irrigation system on the Funk property in order to understand how the various appurtenant water rights are used on this farm; can you arrange a site visit with someone who can answer this question?

Regards,

James E. Stanton
Sr. Water Resource Agent