

Stanton, Jim

From: Stanton, Jim
Sent: Monday, August 03, 2009 4:43 PM
To: 'Brian Higgs'
Cc: Stanton, Jim
Subject: RE: transfer

Brian – 3.19 afa/ac is just under 80% of the standard field-headgate volume of 4.0 afa/ac. Applying this same percentage to the available volume of 2.69 afa under the combined rights, they would have about 2.14 afa/ac to transfer. Using the consumptive hay volume from 40 acres would yield 127.6 afa. But using the reduced volume would require 59.5 acres to be dried up to get the same volume. Allen suggested that we discuss your situation in our Wednesday staff meeting to see what the Administration has to say. I am convinced at this point that the groundwater rights are not supplemental (assuming that no MID shares are used on this land), but Boise may be harder to convince. I will get back to you when I know more, as my mathematical approach above may or may not work out.

From: Brian Higgs [mailto:higgs@ida.net]
Sent: Monday, August 03, 2009 3:36 PM
To: Stanton, Jim
Cc: rewilliams@cableone.net
Subject: Re: transfer

Thank you Jim. It is being transferred to a dairy and we need to include the cfs because cfs is not too important but I was going to include it due to the price people are paying for water these days. I do have proof from the ASCS that the ground has been in hay for the past 2 years and I was going to assign 3.19 ft/ac making about 40 acres to be dried up. What would be the reduction to change the use of this right? Do you see a better right to use?

Thank you for your help. I want to get most of this straightened out prior to submitting the application.

Brian

----- Original Message -----

From: Stanton, Jim
To: Brian Higgs
Cc: Stanton, Jim
Sent: Monday, August 03, 2009 11:50 AM
Subject: RE: transfer

Brian – While this is a complicated property due to other surface rights and a supplemental groundwater right being appurtenant to the land to be dried up, it looks to me like 2320 can serve as the basis for the transfer. The other rights will need to be added in later as associated rights for conditioning purposes, but the 1954 right can stand alone; the flow, volume and annual acres are independent of the other rights.

As far as the advisability of using only the 1954 right is concerned, that is another question. This right is limited to 0.09 cfs & 45.4 afa (1.41 afa/ac) for 32 acres due to the low flow rate and large number of acres. Using portions of the 1954 & 1958 rights, 32 acres would have 0.18 cfs & 86 afa (2.69 afa/ac at the field headgate). How much volume would be available for a dairy remains to be determined; there may or may not be a reduction due to the change in nature of use. You did not say how many acres Darrell planned to sell, so I am giving you the numbers for ¼ of the pivot.

From: Brian Higgs [mailto:higgs@ida.net]
Sent: Monday, August 03, 2009 9:35 AM

To: Stanton, Jim
Subject: Re: transfer

You are a good man! The water right that ground water is being transferred from is 45-2320. He will be selling 35 acres worth of water right. He wants to take out a chunk of pie from the pivot in section 14 SE.

----- Original Message -----

From: Stanton, Jim
To: Brian Higgs
Cc: Stanton, Jim
Sent: Monday, August 03, 2009 9:19 AM
Subject: RE: transfer

Brian -- Depends on the overlap limits on the rights involved. If you give me the numbers and how much volume he needs, I can check it out.

From: Brian Higgs [mailto:higgs@ida.net]
Sent: Monday, August 03, 2009 9:16 AM
To: Stanton, Jim
Subject: transfer

Jim,

Darrell Funk wants to transfer some groundwater to a dairy. Darrell's rights are combined. Can I take the entire amount from 1 right or do I need to disperse it evenly from all the combined rights?

Thank you.

Brian