

September 27, 2007

TSK Enterprises
255 Blue Lakes Blvd North
PMB 617
Twin Falls, ID 83301

RE: App For Transfer 73745, East Valley Cattle (Irrigation)

Dear Gary;

My initial review of this application has brought up several questions. In the SE ¼ of Sec. 26 (just north of the feedlot), the pivot does not go all the way around. There is a triangular area with a house and buildings that is not irrigated with the pivot. There are a few acres of cropland NW of the house that appear to be irrigated with handlines, although you told me that only pivots were used on this farm. Please explain. Is any other land outside the pivot irrigated from the big wells? A closeup photo is enclosed so you can see what I am talking about.

OK

There are some odd chunks of land in Sec. 35 that still have irrigation water on them, even though they will obviously not be irrigated in the future. This is land that was left over when land was dried up for the feedlot. What do they want to do with the water rights here? The ground will need to be left in the system if they plan to put the water from it into the water bank.

Gary
will check

The system map that you recently supplied does not show a well on the south side of Sec. 31, but there is an irrigation well there. Will it be abandoned, or did they just forget to include it? The well on the west side of Sec. 31 is recorded as being further north than what is shown on the map – which is correct?

OK

Will any new wells be drilled under the proposed transfer? Your original aerial photo lists 2 new wells on the south end of the ground, but these are already covered by existing water rights. This is the former Thayne Buck property. There appears to be 19 wells in total that they want to tie together – is this correct? Different dots on your map have different colors, but there is no legend to tell me what the colors mean.

OK no new
holes

The west well in Sec. 22 appears to be shared with Dan Moss; is this correct? If so, we will need his written permission before the transfer can be processed. If Moss no longer uses this well, he should file his own transfer to remove it from his water rights.

working on it

One water right for the west half of Sec. 22 includes stockwater and domestic uses there. There is a home in the SE corner of the property, but apparently facilities for holding livestock. No extra flow or volume were allotted for these uses. I presume that there is a separate well for the home, and that any stock use there was abandoned long ago. How do they want these uses described in the transfer? It would be simpler to just leave off both uses, but that is their choice. Right 43-4014A covers these uses.

leave off
non-irrig
uses

I'll cannot complete my review of this transfer until the second cafo transfer gets approved, but I plan to do as much as possible while I am thinking about it. I can't add the untransferred portions of the rights being split on the second cafo transfer (the irrigation parts), as the numbers are only temporary at this

time. I did complete my initial review of the second cafo transfer, and am just waiting to hear from Boise so we can get it advertised.

Regards,

James E. Stanton
Sr. Water Resource Agent