



March 4, 2010

Blake Jordan
Eastern Region Office
Idaho Dept. of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID

RECEIVED

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Department of Water Resources
Eastern Region

Subject: Application for Transfer
Water Right/SRBA Claim No. 73-214, 73-216, 73-4092, 73-10086, 73-12044

Dear Blake,

On behalf of George Miller, we are again submitting the enclosed *Application for Transfer* for the above captioned water rights. Thank you for the opportunity to correct a typographical error on Page 2 (Part 1.4). We have substituted a corrected Page 2. In addition, I am replying to questions raised in your letter dated March 2, 2010.

Delivery of Water Right No. 73-171

As stated on the transfer application (Part 1.5.e), diversions from Big Creek authorized by water right 73-171 will be used as a supplemental source of supply, when available. No changes are requested to either the point of diversion or place of use for water right 73-171.

Irrigation Identified on 2009 Imagery

Mr. Miller's transfer was prepared using 2006 NAIP photography. (We did not have access to 2009 photography at that time.) You have identified several areas on the 2009 photography, located on the perimeter of the existing pivots, and questioned whether they are, or will be irrigated. Some of the areas identified appear poorly watered and the appearance of irrigation may be caused by drifting due to wind. Some areas may appear to be irrigated due to anomalies caused by the scanning-and-rectifying technique used in your analysis. Regardless, Mr. Miller does not intend to irrigate any area not identified in the transfer application. If such irrigation occurs, Mr. Miller will adjust his pivots such that he remains within the place of use element of his water rights.

In the future, we would be happy to supply ArcView shapefiles to aid in your analysis of permit and transfer applications submitted by SPF. As you know, the shapefiles are easily sent via email.

Overlap with water right 73-2152

Water right 73-2152 authorizes diversion from Patterson Creek for irrigation of 12 acres in the NESW, S26, T14N, R23E. The delivery system is separate from the pivots and irrigates land directly around the home. Water right 73-2152 is not part of the transfer application.

Water right 73-2152 is still used within the legal description of its partial decree. We assume a transfer is not required to change the shapefile.

We also assume you have not prepared a refund of the filing fee for this application (\$810.00).
Please contact me with any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne".

Roxanne Brown
Sr. Water Rights Specialist

Enclosures
Application for Transfer

SPF file no.: 569.0010