



State of Idaho
DEPARTMENT OF WATER RESOURCES

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Western Region

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June 27, 2008

JENNIFER S SULOW
SPF WATER ENGINEERING LLC
600 EAST RIVER PARK LANE STE 105
BOISE ID 83706

RE: Transfers 74306 and 74037 Barron Development

Dear Jennifer

I have been assigned to review these two transfers and after my initial review I have a series of questions. First, I am assuming that the applicants are still interested in pursuing this transfer. The goal is to clarify the point of diversion locations, associated rights with the relevant points of diversion, permissible place of use boundary, and relationship of the split rights held by Montierth.

Our database reflects the points of diversion in that area as digitized points based upon file information rather than GPS data. In reviewing the files it is not clear what rights share common points of diversion. I have attached an aerial photo clip of the area of concern with questions specific to well locations and the associated rights. Are any of the wells where the transfers are moving the rights from going to be abandoned or are there other rights associated with those wells?

Another concern is the split portions held by Montierth as our records show that they are still associated with the same place of use as the Barron Development rights. What arrangements have been made to keep those rights independent of the Barron Development rights?

WD 200647419 conveyed all but a 2-acre piece of Parcel III however that parcel was included in the recommendation and transfer 74306 (in that the transfer identifies 40 acres in Sec 14 SENW). It is unknown if the sale of that 2-acre parcel included water or not. Documentation is needed establish that water was either appurtenant to or withheld from that ground. The POU in this transfer should be modified to reflect that change in POU. I should be able to accomplish this through the recommendation phase of the review rather than having you amend the application. If the sale did include water rights, then the current owners of the 2 acres probably should file a transfer to change the POD location for their use and the rates of the rights associated with that ground would have to be split accordingly.

2004 aerial photo



2-acre parcel excluded in sale

COPY

2004 Aerial Photo



Point of diversion questions.

1. Is there only one well located in 2N, 3W, Sec 14, NENE and is it located where indicated as Pd 1?
2. Is there only one well located in 2N, 3W, Sec 11, NESE and is it located where indicated as Pd 2? Is the well shared by other users?
3. Is there only one well located in 2N, 3W, Sec 11, NWSW and is it located where indicated as Pd 3? Is the well shared by other users?
4. Is the new well located in 2N, 3W, Sec 10, SENW (Pd 4) currently associated with an existing system(s)? Where is it located?
5. Is the original well located in 2N, 3W, Sec 14, SESW and is it located where indicated as Pd 5? Is the well used by other individuals?

If you have questions you can reach me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

E-mail address: kelly.christensen@idwr.idaho.gov

Additional reference map.

