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DEPT. OF WATER RESOURCES
SOUTHERN REGION

October 6, 2009

Mrs. Jeanie Robertson
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RE: Amended Water Right Transfer Application – Jentzsch-Kearl Farms

Dear Jeanie,

Enclosed is an amended transfer application for the primary ground water rights 36-2593, 36-2624, 36-2643, 36-2693, 36-4058B, 36-7039, 36-7446, 36-7690B, 36-11155, and 36-15379 in the name of Jentzsch-Kearl Farms. The sole purpose of the enclosed water right transfer is to enlarge an existing PPU by adding water rights 36-2593 and 36-2693 to the PPU. The existing PPU and the 320 acres associated with the later two water rights are currently tied together by buried mainline pipes.

All but two of the above mentioned water rights (36-2593 and 36-2693) were owned by LG Gillette Investments LC. Jentzsch-Kearl Farms was leasing the farm, and recently purchased the land and water rights listed above from Gillette.

Twenty acres within the existing 2081 acre PPU were sold by Gillette in April of 2004 reducing the PPU to 2061 acres. To our knowledge, a change of ownership application has not been filed with IDWR. Additionally, 7 acres of water should have been split in the name of the Gardner Trust care of Floyd Gardner in 2004 when 7.7 acres of land were sold to the Gardner trust from Gillette. The deed for the sale and a change of ownership for the 8 water rights within the existing PPU at the time of the sale is also included. It is up to the owner of the 7.7 acres (Gardner) to come into IDWR, sign the change of ownership, and pay the associated fees since our client does not own the split portions of 8 water rights listed on the split application.

The 2081 acre PPU currently has an acre limit of 1850.4 acres, a volume limit of 7401.6 af, and a rate limit of 28.62 cfs associated with it (IDWR transfer no. 66606, 2/27/02). The absence of the change in ownership form for the 20 acres sold and resulting reduction of total acre limit, total volumes and total discharge rates facilitated the need to predict these reduced amounts associated with the condensed, 2061 acre PPU (see tables below and attached

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20 acre sale calculations sheet). These calculations had to be made in order for the final numbers for this proposed transfer to be generated.

2081 ac. PPU BEFORE 20 ac. Sale					2061 ac. PPU AFTER 20 ac. Sale				
Right #	Transfer Rate (cfs)	Transfer Volume (af)	Transfer Acre Limit	Total Acres	Right #	Transfer Rate (cfs)	Transfer Volume (af)	Transfer Acre Limit	Total Acres
36-15379	4.11	1104.0	276.0	2081.0	36-15379	4.07	1092.1	273.0	2061.0
36-7446	5	881.6	220.4	2081.0	36-7446	4.95	872.1	218.0	2061.0
36-11155	1.32	264.0	66.0	2081.0	36-11155	1.31	261.1	65.3	2061.0
36-2643	6.05	2008.0	502.0	2081.0	36-2643	5.98	1986.3	496.6	2061.0
36-2624	4.15	1040.0	260.0	2081.0	36-2624	4.11	1028.8	257.2	2061.0
36-4058B	4.1	820.0	205.0	2081.0	36-4058B	4.06	811.1	202.8	2061.0
36-7039	4.57	1156.0	289.0	2081.0	36-7039	4.52	1143.5	285.9	2061.0
36-7690B	0.64	128.0	32.0	2081.0	36-7690B	0.63	126.6	31.7	2061.0
TOTALS	28.62	7401.6	1850.4	2081.0	TOTALS	28.30	7321.6	1830.4	2061.0

Additional calculations were made to subtract the 7 acres from the remaining acreage (post-20 acre sale) so that a starting point for this Jentzsch-Kearl Farms water right transfer could be made (see attached spreadsheet).

We are proposing to incorporate water rights 36-2593 and 36-2693 and the associated 320 acres into a proposed PPU. This would create a 2508.5 acre PPU. Irrigation would be limited to 2143.4 acres within the new 2508.5 acre PPU. A ESPA Ground Water Model Transfer Spreadsheet analysis for this water right transfer was not performed because there are no proposed changes in the existing point of diversion locations or existing pumping rates.

Please copy our office on all correspondence regarding this water right transfer application. Thank you for your assistance on this matter and if you or the agent processing this amended transfer application has questions or comments, please don't hesitate to call.

Regards,


Zach Latham, M.S., Hydrologist

Attachments: Application for Transfer of Water Rights with Map
Notice of Change of Water Right Form
Warranty Deed for Sale of Water to Gardner Trust

cc: Bryan Jentzsch