September 25, 2008

BROCKWAY ENGINEERING PLLC
2016 WASHINGTON ST N STE 4
TWIN FALLS, ID 83301

RE: Applications for Transfer – Visser Holsteins

Dear Applicant(s):

The Department of Water Resources has received your applications (#1 – Irrigation PPU & #2 - Stock water & Commercial) for transfer. Preliminary review of the applications indicates that they are incomplete and cannot be accepted for processing. We are returning your applications and filing fees to allow you to complete the necessary items. The required information is described below.

The Fee was not provided correctly on Application #1. The formula is $1,010.00 for the first 20 cfs and then $20.00 per additional cfs **or part thereof**. (1,010.00 + {20.00 X 71 cfs} or 1,440.00 = $2,440.00) On #2, the fees are correct but this transfer seems to be replacing Transfer 74261 which was filed in October of 2007. Do you wish to withdraw transfer 74261? If so, I could apply the $330.00 paid for transfer 74261 with your check 7484, receipt S029799, to this new transfer.

The Proposed Place of Use/Acres Irrigated was not provided correctly on Application #1. You included 40-acre tracts that encompassed the bottom of the canyon and the rim on the other side. Please include only the irrigable acres in the proposed PPU.

The Map was not provided correctly. On Application #1, four points of diversion in T10S, R13E, Section 20 were listed but the map does not include Section 20. Please include those points of diversion on your map.

The Lien holder Statement for the Recorded Right was not provided correctly. On Application #1 the answer was left blank. Please be sure that it is answered. On #2, the answer was Yes, but no lien holder letter was provided. (I did find copies of two lien holder letters from American AgCredit agreeing to the earlier Transfer (74261) but they were dated April of 2008 and didn't really refer to these new filings. Is American AgCredit still the lienholder? If so, perhaps new letters should be provided which refer to these new filings.

The Proposed Description of Diverting Works was not provided on Application #1. This also brings up the question of a Single System Application. A transfer is supposed to include a single irrigation system. Application #2 lists 7 wells and #1 lists these 7 wells plus 10 others points of diversion. If 17 points of diversion are all tied together under #1, shouldn't all 17 points of diversion also be included on #2? If not, please explain how the systems can be combined, yet separate.

Please feel free to contact this office if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

Enclosures

CC: VISSER HOLSTEINS
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