



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

September 12, 2008

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

RE: App For Transfer 74314 Big Sky Dairy (Oakley Farm)

Dear Gary;

Here is a breakdown of my findings regarding the current place of use on this farm:

11S 22E Sec. 32 S1/2SW, & 12S 22E Sec. 5; Decreed 701 acres, irrigating 568. Diff = -133 ac

12S 21E Sec. 1 N1/2; Decreed 304 acres, irrigating 228. Diff = -76 ac

11S 21E Sec. 36 E1/2; Decreed 280 acres, irrigating 260. Diff = -20 ac

11S 21E Sec. 36 W1/2; Decreed 304 acres, irrigating 257. Diff = -47 ac

11S 22E Sec. 31 N1/2 & SE1/4; Decreed 482 acres, irrigating 384. Diff = -98 ac

11S 22E Sec 31 SW1/4; Decreed 0 acres, irrigating 128 per this transfer. Diff = +128 ac

11S 22E Sec 32 N1/2SW1/4; Decreed 0 acres, irrigating 66 per this transfer. Diff = +66

In Summary, 374 acres have been moved or removed from the decreed pou, with 194 acres moved to new pivots in Sec. 31 & 32. This leaves 180 acres of land that will no longer be irrigated outside the 15 large and 5 small pivots, and in the pivot gap east of the dairy (which would have a couple of handlines on it). About 2.58 cfs would be appurtenant to the 180 acres on a proportional basis, but would not be recommended for forfeiture under some future transfer even if the land itself was so recommended.

These rights were all decreed in May of 2005, so forfeiture is not an issue until May of 2010. If the applicants have no use for this water by next May, they may want to submit an Application For Extension of Time to Avoid Forfeiture to protect the land for up to another 5 years.

As filed, the transfer appears to dry up just the land needed for the new pivots (which I presume have actually been in place for some time without valid groundwater rights). It is no problem to leave the rest of the acres where they are, but I thought it would be useful to do a complete analysis on this system so they owners could see exactly where they stand.

Regards,

James E. Stanton  
Sr. Water Resource Agent