



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

August 21, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

QUEENS CROWN RANCH
ATTN: JOHN D. FLOOD
19249 HWY 20
PICABO, ID 83348

RE: Water Right 37-7014

Mr. Flood,

At the request of the watermaster of Water District 37, the Idaho Department of Water Resources (IDWR) is in the process of reviewing all ground water rights in the district that have conditions requiring watermaster regulation. The intent of our review is to provide guidance to the watermaster so that he might more effectively carry out his responsibilities associated with this matter.

It has come to our attention during review of water right 37-07014 that this right was incorrectly conditioned when it was licensed in 1994. Condition number seven states the following:

The maximum combined rate of diversion under this right and Right 37-2649[A & B] shall not exceed 7.26 cfs.

This same condition was also found in the IDWR recommendation of right 37-07014 in the Snake River Basin Adjudication (SRBA). A copy of the Water Right License and SRBA recommendation for 37-07014 are enclosed for your review. In recognition of the previously approved combined flow rate of 7.44 cfs for water rights 37-02649A and 37-02649B, condition seven of license 37-07014 should have limited the combined rate of diversion of the three rights to 7.44 cfs, not 7.26 cfs as recorded.

IDWR would like to update water right license 37-07014 to reflect a corrected combined use limitation value of 7.44 cfs. If this update is made timely, then IDWR can similarly update its' recommendation of the same right with the SRBA District Court. If the updates are not made, then the total rate of diversion under all three rights may be permanently restricted to the lower amount. We ask that you reply to us in writing within the next 21 days regarding your consent to the above described modifications to your water right. If you have any questions regarding this matter please contact me by phone at (208) 287-4914 or by email at mathew.weaver@idwr.idaho.gov.

Respectfully,

Mathew Weaver, PE
Staff Engineer

Enclosure

Cc: Travis L. Thompson, Barker Rosholt & Simpson LLP

BARKER R & S LLP

113 MAIN AVE. WEST

SO 303

TWIN FALLS, ID 83303

ATTN: TRAVIS THOMPSON