



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 28, 2008

Brockway Engineering PLLC
ATTN: Erick Powell
2016 North Washington St Suite 4
Twin Falls, ID 83301

RE: App For Transfer 73742, Hagerman Wings Farm

Dear Erick;

We have again discussed this application at our weekly staff meeting with Headquarters. Our administration is adamant about not approving transfers that could result in an expansion of the allowed usage, and this application APPEARS to fall into that category. Mr. Shaw previously told me that his 1905 right does not reach his property during the summer months for various reasons, so it would seem that basing the transfer on this right would not solve this problem. I believe that there is always runoff from his early right, so basing the transfer on this right should allow him to pump the extra water when he really needs it. But if he insists on having the current version of the application processed, we at least need information on the proposed pumping plant to show how it can be controlled to pump only his Snake River right when his 1905 right is not reaching the Snake River at the proposed point of injection. Since there is no way to determine how much water is actually reaching the Shaw property via the Sands Ditch, it will be impossible for the watermaster to properly regulate the operation of the Snake River pump. Measuring the flow of water into the Snake River at the point of injection, which would be required in any case, would still not verify that this water was from the 1905 right.

If you can think of solutions to these problems, please present them by May 28 so that processing of this application can continue.

Regards,

James E. Stanton
Sr. Water Resource Agent