

5-07-1998 2:16AM FROM

P. 10/0

**Nutrient Management Service**

16931 Star Road  
Nampa, ID 83687  
208-465-9496

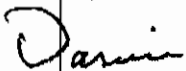
# Memo

**To:** Lori Graves- IDWR  
**From:** Darwin Vander Stelt  
**CC:**  
**Date:** 12/12/2008  
**Re:** Gem Irrigation district Overlay Nick DeRuyter Transfer

After Transfer 5007, WR 57-2335 and 57-7047 were left with 301 acres of irrigation right, some of which is primary and some of which is supplemental to surface water rights in Gem Irrigation District. Because the groundwater and surface water are commingled in a common irrigation system, it is impossible to tell which acres have a primary groundwater right, and which have a primary surface water right. Since IDWR has stopped allowing transfers to stockwater use for supplemental rights, all the rights to be transferred here have to be primary groundwater rights.

Attached is a document from Gem Irrigation District which says that Nick has 11 acres of water right in 3N 4W section 19, and 178 ac in 3N 4W section 30. He is billed for 189 acres in those 2 sections. Assuming that the groundwater is supplemental on those 189 acres, it leaves 112 acres on which the groundwater right is primary. The net 40 acres to be dried up are drawn from those acres. After the transfer, there will be 261 acres of groundwater right, of which 189 acres is supplemental and 72 will be primary. This could be reflected in a note on the water rights.

Hopefully this calculation will satisfy your concerns!

  
Darwin Vander Stelt

5-07-1998 2:17AM FROM  
DVC-12-2006 11:44AM SOUTH BOARD OF CONTROL

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*Drummers**HHH:  
Darwin  
Vanderstone*

*Sec 30 3N 4W = 178 acres*  
*Sec 19 3N 4W = 11 acres*

*189 acres has a water right*  
*This is billed @ \$40.48 per acre.*  
*18,900 inches for water allotment.*

*12-12-06*  
