

MEMORANDUM

TO: John Westra
FROM: Steve Lester 
DATE: August 22, 2005
RE: Requests for Information or for Processing of Applications

Attached are copies of three requests for information or for processing of applications after our initial "no." The one information request concerns ground water in the lower portion of Basin 63 north of Parma.

Johnson 63-32152

This permit application proposes consumptive use from two wells alleged to be tributary to the Snake River. Instead of challenging our initial "no," the applicant asks if/when processing of ground water below Star might resume.

Good question. If we are going to open the lower Boise for processing of ground water applications for permit, this fall/winter is probably our best bet for timing. Eventual resumption of transfer processing will certainly complicate a later start in opening the lower part of Basin 63. This November or December after our field exam focus on licensing older permits for the SRBA is wrapped up would be good timing.

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Two requests for processing transfer applications suggest hardship under our "transfer processing delay" recently initiated.

Berkel 63-32138

Owner claims hardship if we do not process this one for a new well to overcome a property dispute regarding access to the original well. There is some reason to believe subdivision development is intended for this land south of Lake Lowell.

If we say yes to this request, we would have a hard time denying similar requests based on hardship.

Peregrine Springs 63-7194

This is a minor split from the 143-acre Mellin right being marketed. We previously processed at least three filings based on portions of this right. We have four other recent

transfer applications in addition to the Peregrine one for other portions of this right. It is reasonable to assume even more transfers will be filed on this right, especially if we start processing one or more before sufficient adjudication work is completed.

We also have delayed transfers for other rights being marketed. For example, we have five new transfers for portions of the Post right in Canyon County. Beyond that, we have numerous delayed transfers for dairies, subdivisions with ponds, and so forth. Lots of money is at stake in most cases.

Currently we have about 45 transfer applications pending under the new processing delay. I cannot see how we will survive the transfer processing delay if we start saying yes based on reasons proposed by Berkel or by Peregrine Springs.