



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

Jim Speck
Speck & Aanestad
120 East Ave
PO Box 987
Ketchum, ID 83340

March 21, 2007

RE: Transfer Application filed in the name of Barrie Family Partners

Dear Mr. Speck:

Our office has started reviewing the above-mentioned transfer that you filed with our office in December of 2005. As you recall, the application proposes changing the point of diversion of right 37-332 from a location on the Big Wood River, to a pump diversion located on a slough located on the west side of the 37-332 place of use, just north of Broadford Road. As part of the review, our office has discussed this particular application with personnel in our State Office in Boise. This discussion raised a couple of issues / concerns that we would like to give you the opportunity to comment on....

- As indicated previously, the application proposes moving the currently authorized point of diversion from the Big Wood River to a new location. Examination of our records indicates that another water right, 37-33 also shares the current diversion from the Big Wood River. If water right 37-332 is moved from this diversion, leaving just right 37-33 from this diversion, it appears there may be the possibility that right 37-33 could suffer since the two rights more than likely have historically benefited each other with regards to sharing conveyance loss down the delivery ditch. As you know, injury to other water rights is a factor that the Department must consider when acting on a water right transfer.
- Right 37-332, as recommended in the SRBA, currently authorizes the diversion of 1.0 cfs from the Big Wood River at the current diversion location for the irrigation of 8.3 acres. For transfer applications that involve an irrigation right that allows a diversion rate greater than 0.02 cfs per acre that propose changing the point of diversion, justification of the rate per acre above and beyond the typically allowed maximum of 0.02 cfs per acre must be included with the transfer in order to allow rates above and beyond 0.02 cfs per acre. As you know, whether or not the transfer is consistent with the conservation of water resources within the State of Idaho is a factor that the Department must consider when acting on a water right transfer.

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Speck / Barrie Family Partners Transfer Letter

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In previous conversations &/or correspondence with you regarding this particular transfer, I have indicated that the channel (slough) where the new diversion is to be located is not actually the Broadford Slough (as identified on the transfer application), but a separate channel, tributary to the Broadford Slough. During the SRBA review of the area, the Department decided to recognize rights diverted from the Broadford Slough as having a source of the Big Wood River. In addition, it appears that right 37-579 lists a diversion from the channel (slough) where the new diversion is listed on the currently filed Barrie Family Partners transfer. Right 37-579 lists the source as the Big Wood River, with a remark identifying the diversion as being locally known as the "Clearwater Slough". I would suspect that if the Department proceeds in processing, and somehow approving, the currently filed Barrie Family Partners transfer; the source would be listed as the Big Wood River, with a remark identifying the diversion as being locally known as the "Clearwater Slough", similar to right 37-579.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner", with a stylized flourish at the end.

Corey Skinner, PE
Water Resource Engineer