

MEMORANDUM

To: Files 37-21229, 37-21231, 37-21233, 37-21235, and 37-21237

From: Cynthia Bridge Clark

Date: October 19, 2006

Re: Request for Information Regarding Withdrawal of Transfer 71145

A letter was sent to the applicant (c/o Jim Speck) regarding the order withdrawing the above referenced transfer approval. The department has not yet received any information in response the order, therefore a letter further clarifying the required information with a 14-day response requirement was mailed on October 19, 2006.

Two areas of concern were identified on an attached map. The first (Area 1) is located in the central part of the property. Based on comments by Jim Stanton in the water right file (see comment report) and aerial photographs, it is not clear whether the central part of the property was developed due to the gravelly soil type. The area appears to be either bare or sparsely irrigated in several aerial photographs. Additional information was requested to determine if this area was beneficially used prior to the commencement of the SRBA (1987) during the period of flood irrigation (this is not a determination of forfeiture, but whether the land was ever developed). Area 2 identified on the map attachment as the southwest corner of the property appears to be an arena. It is bare ground that is not currently irrigated. The arena is evident in 1985 and more recent imagery, but it is not clear in 1982 and 1984 imagery. Information was requested as to whether this area was ever irrigated and when it was converted to an alternate use (establish beneficial use and whether it has been forfeited).

The applicant was notified that transfer approval would be re-issued in its original form if information is not received within fourteen days to provided for SRBA review (November 2, 2006 deadline).