



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

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SOUTHERN REGION
October 17, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

City of Jerome
ATTN: Travis Rothweiler
152 East Ave A
Jerome, ID 83338

RE: App For Transfer 72803; Letter From Charles Correll Dated 9-13-2006

Dear Travis;

Jeff Peppersack of our Boise office has reviewed the Mayor's letter. He responded that our policy is to limit changes in nature of use to the consumptive volume based on actual prior water usage. Since the commercial use allowed under the previous transfer, that only leaves the consumptive use for irrigation that is available for transfer. This is necessary to comply with Sec. 42-222(1) of the Idaho Code, which states that the use of a water right shall not be enlarged through the transfer process. The commercial uses proposed under the previous transfer would have consumed less water than the corresponding irrigation usage, so the consumptive volume available for your proposed transfer would be even less than what we can allow based on the original irrigation use.

In order for the full 704 afa to be available for your use, you could amend the transfer to show irrigation as the only proposed use or to leave the existing uses unchanged. You will also have to provide ongoing documentation that the water fulfills irrigation needs within the City service area. If this is not acceptable, you should contact Jeff directly at 208-287-4948. I take my instructions from him with regard to transfer processing, and have no actual authority over the process.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Jeff Peppersack, IDWR
Charles Correll