

## Skaggs, Pam

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**From:** Yenter, Cindy (Hodges)  
**Sent:** Tuesday, August 29, 2006 12:58 PM  
**To:** Skaggs, Pam; Peppersack, Jeff  
**Cc:** Merritt, Allen  
**Subject:** 71642 Faulkner Land & Livestock Co Inc - Enlargement Issue & Watermaster Comment

Pam and Jeff:

Mike and John Faulkner visited and identified the acres which they would like to isolate under water right 37-7808. Those acres are marked on the attached map, and are under the two partial pivots being added to the system, rather than the east existing pivot. The two partial pivots cover approx. 165 acres by my quick estimates - someone may have to adjust the acres slightly. Each pivot under 37-7808 will use a separate relift pump from the pond, and each line will have a flowmeter installed. There is no surface water delivered to this area. Faulkners would like to keep all 163 acres with the water right, and indicated that if they wanted to grow a higher consumptive crop in any given year they would just idle some of the land. that might prompt us to add some general condition stating that if available volume is consolidated on lesser acres, that a maximum of 4 AFA may be applied.

I've made notes on Mike's letter and we both initialed them. I sent back Pam's map with some new marks, and a new Recommendation of Watermaster. Let me know if you need anything else.

*Cindy Yenter  
Watermaster, Water District 130  
Twin Falls, ID  
cindy.yenter@idwr.idaho.gov  
208-736-3033*



Faulkner 71642.pdf

-----Original Message-----

**From:** Skaggs, Pam  
**Sent:** Wednesday, August 23, 2006 3:12 PM  
**To:** Yenter, Cindy (Hodges)  
**Cc:** Merritt, Allen  
**Subject:** 71642 Faulkner Land & Livestock Co Inc - Enlargement Issue Identified

Cindy,

You may recall that this transfer has not been finalized due to the issue of possible enlargement of use under the restricted mitigation right, 37-7808 in a combined ppu with the other rights. (See e-mail below.) Jeff has corresponded with the applicant who has proposed a solution to address the concerns. (See attached letter.)

<< File: 71642 Faulkner-Proposed Solution.pdf >>

Jeff thinks this plan would be acceptable, but would like your comments. We will have to modify the transfer data (pou, conditions etc.) to reflect the final proposed solution if acceptable to all. Let me know if you have any comments regarding this proposal.

Pam

-----Original Message-----

**From:** Peppersack, Jeff  
**Sent:** Tuesday, June 13, 2006 2:41 PM  
**To:** Merritt, Allen; Stanton, Jim

**Cc:** Skaggs, Pam  
**Subject:** 71642 Faulkner Land & Livestock Co Inc - Enlargement Issue Identified

Here's an item we should discuss tomorrow.

**Before Transfer**

37-7808, 3.26 cfs (0.02 cfs/acre), 570.5 af (3.5 af/acre), 163 acres  
37-8005B, 2.02 cfs (0.018 cfs/acre), 528 af (4 af/acre), 111 acres  
37-8005C, 1.60 cfs (0.013 cfs/acre), 488 af (4 af/acre), 122 acres  
37-8005D, 0.41 cfs (0.013 cfs/acre), 124 af (4 af/acre), 31 acres

**After Transfer (as drafted)**

37-7808, 1.76 cfs (0.011 cfs/acre), 308.1 af (1.89 af/acre), 163 acres  
37-8005B, 2.02 cfs (0.018 cfs/acre), 444 af (4 af/acre), 111 acres  
37-8005C, 1.60 cfs (0.013 cfs/acre), 488 af (4 af/acre), 122 acres  
37-8005D, 0.41 cfs (0.013 cfs/acre), 124 af (4 af/acre), 31 acres

Note that 37-7808 is being transferred in to a PPU with the other rights. The change requires ESPA mitigation which results in limitation of the rate and volume to the values shown. Now, when the transferred right is moved within the PPU, it will have a rate and volume per acre significantly less than the other rights - resulting in a possible enlargement of the other rights (and likely offsetting the mitigation).

Jeff

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Application No: 71642  
Water Right No: 37-7808, 37-8005  
Applicant Name: Faulkner Land and Livestock

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
- b) ☒ I do not oppose approval of this application if it is conditioned as follows:

All rights:

(131) Measuring device required or waiver obtained for irrigation flow meter on deep well

37-7808:

Mitigation portion shown on the face of the right rather than in comments  
Combined limits listed for diversion of non-mitigation portion and right nos. 37-8005 B, C and D

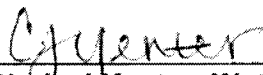
Per the letter from applicant, dedicated distribution line(s) to acres served under this right shall be equipped with totalizing flow meter(s) of a type acceptable by Watermaster. These meters shall be used to monitor the reduced volume under the right. Volume from these meters shall be reported directly to Water District 130.

- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☒ Additional comment:

Well ID: A0002806, reporting to North Snake GWD.

Dated: August 29, 2006

Water District 130

  
Cindy J Yenter, Watermaster

August 18, 2006

Jeff Peppersack, Manager  
Water Rights Permits Section  
Idaho Department of Water Resources  
PO Box 83720  
Boise, Idaho 83720-0098

RECEIVED

AUG 21 2006

DEPARTMENT OF  
WATER RESOURCES

Re: Application for Transfer No. 71642

Dear Mr. Peppersack:

Thank you for your letter of July 17, 2006 extending the time for providing additional information concerning Application for Transfer No. 71642. I have given the matter some additional thought and believe that the application can be approved as filed with restrictive conditions of approval to address the concerns described in your letter.

My intent in filing the application was to provide a permissible place of use for four existing water rights. I am willing to forego some of the flexibility sought under the application by limiting the permissible place of use to three of the water rights and by identifying a specifically defined place of use for the fourth water right (Right No. 37-7808). The two parcels would be served from the same well using separate delivery/distribution systems. This proposal addresses your concerns because use of water under Right No. 37-7808 can then be measured, monitored and regulated separately from water use under the other three rights.

The transfer application and its associated mitigation plan can be approved in accordance with your staffs' recommendation with additional conditions of approval to address the following:

1. Limit use of water under right no. 37-7808 to 163 acres in the 40-acre parcels covered by the eastern pivot. This is principally the S $\frac{1}{2}$ NE $\frac{1}{4}$  and the N $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 8, T6S R14E. The amount of water diverted under this right would be limited to 1.76 cfs and 308.1 afa. The only water to be diverted and used through the pivot and distribution system serving this land is to be from Right No. 37-7808 unless approval to use other water rights on the land is obtained in a subsequent approval given by IDWR.
2. Limit use of water under Rights Nos. 37-8005B, C, & D to a permissible place of use covering the remaining 264 acres in the place of use requested under Transfer No. 71642. The combined use of water under these rights shall be limited to 4.03 cfs and 1056 afa.
3. Prior to diversion of water under right No. 37-7808, a separate flow meter, capable of measuring and recording the volume of flow diverted during the irrigation season, shall be installed on a pipeline dedicated to delivering water to the 163-acre place of use authorized under this right.

(2 meters)

MRF

one meter for each relief to 2 new  
pivots to measure 37-7808

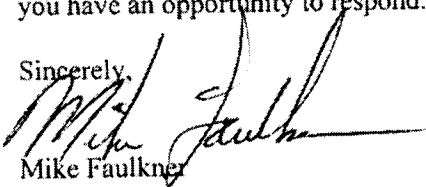
cy

MRF  
3/4 in  
1/2 in  
N $\frac{1}{2}$ S $\frac{1}{2}$  Sec 9 & S $\frac{1}{2}$ E $\frac{1}{2}$  Sec 8  
N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec 8  
3

4. The Water District 130 watermaster shall have access to read the flow meters at all times. The right holder shall report the annual diversion of water under these rights to Water District 130 prior to December 31 of each year.

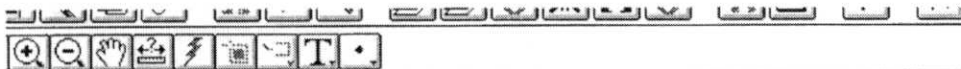
Please consider this suggestion as a resolution to this matter and let me know whether the approach is workable. I have asked ERO Resources to hold up on further review until you have an opportunity to respond.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Faulkner", with a long horizontal stroke extending to the right.

Mike Faulkner

c. Norm Young, ERO Resources Corp.



Scale 1:10,099

# View1

## Sections



## Gooding taxlots



## 06S14E GCDB



## GCDB

## QQ

## Oldmodelgrid.shp



## Oldmodelbdry.shp



## Modelgrid.shp



## Gridbdry.shp



## Right POD



## Right POU



## Adminbas.shp



## Administrative

## Township/Range



## SpatialData



## TWIN NAIP 2004

## AA20 Quad

## AA20\_SW\_1992\_S

## AA20\_SE\_1992\_S

