

MEMORANDUM

TO: PERMIT FILE 02-7273

FROM: DANIEL A. NELSON

DATE: 10/7/05

SUBJECT: SPLIT OF WATER RIGHTS

Permit 02-7273 was originally filed to cover lands that were not already covered for a farm owned by River Ranch Farms. River Ranch Farms eventually disbanded, is no longer an active business. The farm was subsequently sold to several individuals, eventually, ending up under the ownership of 3 entities. David Miller purchased 9.5 acres of the farm; Robert J. Meyers purchased approximately 1,205.7 acres of the farm; and Gingerich Brothers Farming purchased the remaining 1,318.8 acres.

River Ranch Farms did not have the opportunity to assign the permit over to the new owners before their corporation disbanded, so the permit has stayed in their name. In order to put the permit under the proper ownership, the department used the Snake River Basin Adjudication (SRBA) process to split the permit into three separate permits. These permits were 02-2773B for Gingerich Brothers Farming, 02-7273C for Robert J. Meyers, and 02-7273D for David O. Miller.

Unfortunately, we were not able to use the same water right numbers when the split was made for licensing. The new water right numbers are 02-10289 for David O. Miller, 02-10290 for Robert J. Meyers, and 02-10291 for Gingerich Brothers Farm.

All of the existing water rights have always been diverted from two points of diversion. When the property was split, one of the points of diversion went to Meyers, and Gingerich and Miller shared the other diversion. Therefore, the combined totals will need to be changed. This will be very important to the SRBA staff, because the amount of licensed and decreed water exceeds the capacity of both systems. Therefore, a combined condition will be needed on all of the water rights.

Hopefully, this memo will help explain the reason for the 3 separate field exam reports for this single permit. The ADHOC has been completed for all three water rights.