

MEMO

FROM: Allen Merritt

DATE: 3/22/2004

TO: File 47-8389A

SUBJECT: Phone Conversation with City of Twin Falls Attorney about adding well to 47-8389A.

Today Jackie Wakefield (City Attorney) called and wished to discuss the amendment that was returned by Corey last year. I discussed with her the reasoning or logic.

- proof already submitted.

- condition that only one well to be used.

Apparently the original well drilled was only able to provide about 3.0 cfs but has since dwindled to maybe 1.0 cfs.

They want to be able to divert a portion of the permitted right out of the well drilled under 47-8410 for 4.0 cfs. (This well has a capacity of maybe 6.0 cfs.) (This permit is limited to 7.0 cfs when combined with 47-8389A)

We discussed this issue with Shelly Keen.

We ended up concluding that the City needs to get the original protestants to agree to allow use of more than one well and then petition to get the condition waived that limits use of only one well. If this is done then the City will need to show that both Well #3 and Well #4 were developed prior to 9/4/2001 when proof was submitted for 47-8389A. If all this falls into place then the field exam for 47-8389A could include both wells and use recognized under a licensing amendment.