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MEMORANDUM

DATE: March 10, 2003

TO: Water Right File 31-7311

FROM: Shelley W. Keen *SWK*

RE: Transfer Proposal

This morning IDWR received a letter from Ben Jernberg describing his idea for a transfer of some of the water use described on License 31-7311. Skip Jones of Eastern Region has agreed to respond to the letter. However, in case the matter arises again, I offer the following summary of the issued that Mr. Jernberg's proposal presents.

Approval condition no. 6 of License 31-7311 recognizes that Mr. Jernberg applies 4.99 cfs to 663 acres of uncultivated pastureland in addition to the beneficial use listed in the elements of the water right. Watering of the pastureland was not included among the elements of the water right because the beneficial use was questionable. The issue with Jernberg's use of water on the marginal pastureland is that the consumption is certainly far less than would result from a row crop, or even grain. When I was asked over the telephone by Mr. Jernberg about the possibility of transferring that use, I advised him to hire a consultant to determine the **acreage irrigated** and the **consumptive use** from those acres over the past 5 years, because he is really proposing a change in the nature of use from the current use to irrigation. If the consultant determines, for example, that the consumption has been 1 acre-foot per acre, and Mr. Jernberg wants to transfer it to a location where the standard consumption is 3 acre-feet per acre, he'd have to dry up 3 acres for every acre at the new location.

From the Transfer Memo

(13) Historic Beneficial Use. If the application for transfer proposes to change the nature or purpose of use, season of use, or for a supplemental water right, the place of use, the applicant must include an attachment documenting the historic extent of beneficial use under the right. For a transfer seeking to change a water right from irrigation, the attachment must provide sufficient data and information to determine historic consumptive water use. This can be satisfied by submitting records of cropping pattern or rotation, or records of water diverted and system efficiency, for at least the most recent, five consecutive

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Department of Water Resources

DATE 2-9-03

TO Bosch, Id. FAX # 208-327-7866

COMMENTS: To Whom it may concern

My proposal to the transfer of 250 Acres plus the approx 75 acres the State of Idaho says we have to give up. To keep from hiring a high priced consultant, and making it better for everyone - As the transferred water will be going to a sprinkler system which will use a lot less water than flood irrigation. I think we will have enough licensed water to do what I had to do left.

Copy to Ship Johnson

Ben W. Young

208-525-7177

11-11-11

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Idaho Dept. of Water Resources
Boise, Id.

2-9-03

Dear Sirs:

I was very happy to find that Skip Johnson was still with the Dept. He is the man that my dad and I consulted when we drilled the 2 wells and filed on the water for 31-2357, 31-2395 and 31-7311. He was a lot of help and a very good honest man. My dad trusted him and his judgement.

I have the water to and have been irrigating the approx 1134 acres plus the 663 acres that I have a licence to irrigate. This was the reason we pump the volume of water that we do. It looks to me that the only way we can handle any transfer of water would be for me to pump less days per month. Why would I need some high priced Ag. Consultant or any consultant of any kind. You have the best consultant in your I.F. office Mr. Skip Johnson if you don't tie his hands to the office chair.

My proposal would be to transfer 250 acres, and the approx 75 acres of water the state says I have to. out of 31-2395 licence for 672.9 acres minus 325 acres = 347.9 acres. This would be approx 30% of the water I am licensed to use. Shut my pumps off an avg. of 9 days per month, use the other licenced water as far as the 21 days per month will allow me to. This would be giving the state of Idaho water resources the advantage in every way as 325 acres

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isn't 30% of what I'm licenced for. By pumping a larger volume of water for 21 days, we know would use a lot less water than a small volume. My pumps are set up and filed on at the time to irrigate this much ground. It looks to me like the only way to make it work. I am not going to the expense of changing my pumping capacity when we all know that a larger amount of water saves almost 50% of the water that it takes to irrigate over a small amount of water. Plus I have the right and licenes to do this.

Why would anyone ask me to hire an Ag. consultant when it is not necessary? The only way this can be done is to cut down on the days I run my pumps.

Phone 623-214-1830
Fax 623-214-1862

Thank You
Ben D. Jernberg
14306 W. Monington Tr.
Surprise, Az. 85374

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