



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

March 11, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Michael P. Tribe
Ling, Robinson & Walker
615 H Street
PO Box 396
Rupert, ID 83350-0396

Dear Mr. Tribe:

Please find enclosed a water right transfer application that you recently submitted in the name of Arlo and Bonita Lloyd involving water right 43-4132 along with the \$250.00 filing fee (Ling & Robinson check # 34526). The application is being returned so you can address several items before the application can be accepted for processing.

Water right 43-4132 has been decreed in the Snake River Basin Adjudication for **0.77 cfs** for stock water use and the **irrigation of 13.2 acres**. The transfer application identifies 0.54 cfs &/or 0.67 cfs for the irrigation of 18 acres. Note that less water than what was decreed is listed on the application and more acres are listed on the application than what was decreed. The smaller amount of water listed on the application appears to be a reduction in the Lloyd's decreed amount of water, while the larger amount of proposed irrigated acres over what was decreed appears to be an expansion in use not allowed by the water right transfer process (§42-222, IDAHO CODE).

In addition, the application does not address the stock water portion of water right 43-4132. Is the stock water place of use supposed to be changed along with the irrigation place of use, is the stock water place of use remaining at the decreed location (BLM land), or is the application proposing to remove the stock water use altogether? If the application proposes to keep the stock water use, then it needs to be identified on the first page of the application as a listed use (item B1 and the place of use needs to be identified (item B5 and on the map that accompanies the application).

The application lists the applicant as Arlo and Bonita Lloyd, but only Arlo signed the application. In addition, there was no proof of ownership of the land that the water is being moved to. If a party other than Arlo and Bonita Lloyd own the proposed place of use, then authorization from that party agreeing to the transfer must be included.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

Enclosures