

MEMORANDUM

December 16, 2004

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DEC 17 2004
DEPARTMENT OF
WATER RESOURCES

TO: Shelley Keen *swk* To File
From: Cindy Yenter *CY*
CC: Gary Spackman, Tim Luke
RE: Partial Relinquishment of Water Right No. 36-8443

Attached (to Shelley only) is request for partial relinquishment of the above ground water right, held by Billingsley Creek Ranch. Donnie McFadden, the ranch owner, has elected to relinquish the commercial portion of this right because beneficial use for commercial purposes does not now and never has occurred from this well.

In late November I conducted a field inspection of Mr. McFadden's property. Using the hand-drawn map found with the licensing exam, we compared actual use of the well with the recommended uses. The licensing map depicts the entire ranch complex including stables, corrals, two offices, two homes, a show arena, a recreation building and commodity barn. The well, constructed in 1981, is actually limited to use in one residence with <1/2 acre of lawn, and for stockwater in two small stables, all situated north of the main ranch driveway. The balance of the complex, south of the drive, was all constructed prior to 1981, and has been served since that time with Big Springs Water User shares. The well was drilled specifically for a new home and a few associated outbuildings, and according to Mr. McFadden, the two water systems were not interconnected. Further, Mr. McFadden indicates that the well capacity is not sufficient to supply more than the present uses.

Once the right has been modified, I would like to ask that copies be sent to me at Southern Region, and to the North Snake Ground Water District at 152 E Main St, Jerome ID 83338. The removal of the commercial component from this water right will nullify its ESPA mitigation requirement pursuant to recent legislation.