



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

November 2, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JRG PARTNERS II
C/O GREGORY S YOUNG
22020 REGNART RD
CUPERTINO CA 95014

RE: Application for Transfer of Water Right 71076
Right 22-7641

Dear Applicant:

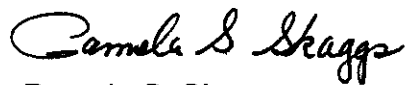
The Department has received the Protest Withdrawal Agreement for Application for Transfer 71076. The agreement references two stipulated conditions that have been addressed by our standard approval conditions. However, our transfer review found that the maximum volume available for transfer for consumptive uses is 10.9 afa, which is within the limit of 14.3 afa noted in the agreement document.

During initial review by our region staff, historical crop information for the 5 irrigated acres was requested and received from your attorney, John Marshall. His 02-25-2004 letter states that JRG had informed him three crops have been grown on the property: barley, silo corn and sunflowers. We recommended using the highest consumptive use associated with these crops to establish the extent of beneficial use. Using the Driggs station information, winter grain was identified as 2.18 af per acre, or $5 \times 2.18 \text{ af} = 10.9 \text{ afa}$. Additional volume associated with delivery of the water or irrigation efficiency is not transferable to a new nature of use unless non-consumptive requirements can be documented. Right 22-7641 will have a total of 12.1 afa associated with it when all uses are combined.

I am sending you a copy of the draft approval document prepared for this transfer. Please review this draft and contact me with any questions you may have regarding this transfer. I will withhold the transfer from further processing for 15 days to allow for any comment you may have. After that time the transfer will be forwarded for final approval.

If you require additional information regarding this matter, please call me directly at (208) 287-4951, e-mail me at pam.skaggs@idwr.idaho.gov or contact me by mail, and I will be happy to assist you.

Sincerely,

A handwritten signature in black ink that reads "Pamela S. Skaggs". The signature is written in a cursive style with a large, looped "P" and a long, sweeping "S".

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosures

Cc: John Marshall, Givens Pursley
Michael L Reid, Paradise Springs Farm