



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 24, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES G BROCKWAY PE
BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST
TWIN FALLS ID 83301

Disposition of Petition for Reconsideration

RE: Petition for Reconsideration of the Preliminary Order Approving Transfer 71010

Dear Mr. Brockway:

The Department of Water Resources (IDWR) has received your petition for reconsideration of the preliminary order approving Transfer No. 71010. The petition requested that the transfer approval be amended to show additional acres under decreed rights 37-228 and 37-229.

Prior to approval of the transfer, Adjudication and Water Allocation staff from IDWR jointly reviewed the irrigated acreages under the decreed and licensed places of use. At the time of licensing, the place of use under right 37-2147 was different than the place of use of the decreed rights. Based on 1987 imagery, the total acres shown to be irrigated on the original decreed place of use was approximately 227 acres. It was assumed that the additional acres outside the original decreed place of use were the result of an accomplished transfer of right 37-2147. For those reasons, IDWR determined that the decreed rights should be limited to 227 acres.

In response to your petition, IDWR grants you 30 days to support your petition by providing information confirming the historic acreage irrigated under the water rights associated with the transfer. This information will also be necessary during the review of the SRBA claims for those water rights. The information should include the location of diversions, ditches and irrigated lands as developed and as changed over time. Additional time may be granted upon a written request and justification for the extension. IDWR will evaluate your information when determining whether to grant or deny your petition for reconsideration.

If you have any questions, please feel free to contact us.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt