

Cefalo, James

From: luke@minicassialaw.com
Sent: Monday, May 13, 2024 3:37 PM
To: Cefalo, James
Subject: RE: Application for Transfer 88815 (Foster) - Irrigation of Corners
Attachments: CREP Contract_SE Sec 11_SW Sec 12.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

James,

Attached is the CREP contract for the SESE corner of Section 11 and the SWSW corner of Section 12. It expired in 2022. Also, I realized I misspoke on the previous email. The other contract, which you probably noticed, was a CRP contract, not a CREP contract. If you have any questions, let me know.

Thanks.

Luke H. Marchant

Darrington Law, PLLC
601 7th St.
P.O. Box 536
Rupert, ID 83350
Phone: (208) 944-9310
Email: luke@minicassialaw.com



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From: luke@minicassialaw.com <luke@minicassialaw.com>
Sent: Friday, May 10, 2024 2:25 PM
To: 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Subject: Application for Transfer 88815 (Foster) - Irrigation of Corners

James,

Attached is the CREP contract for the NENE of Section 11 and the NWNW of Section 12. I was off by one year. The contract expired in 2021, not 2022. I am still waiting for the contract for the corners in the southern end of those sections and will forward it when I receive it.

Thanks.

Cefalo, James

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Sent: Friday, May 10, 2024 2:25 PM
To: Cefalo, James
Subject: Application for Transfer 88815 (Foster) - Irrigation of Corners
Attachments: CREP Contract_NE Sec 11_NW Sec 12.pdf

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From: luke@minicassialaw.com <luke@minicassialaw.com>
Sent: Friday, May 10, 2024 10:30 AM
To: 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Subject: RE: Application for Transfer 88815 (Foster) - Irrigation of Corners

James,

Those corners were all under a CREP contract through 2022 (I believe). I have reached out to Brad Foster, and he is going to send me a copy of the CREP contract, which I will forward to you as soon as I receive it. If you have any other questions, or need anything else, do not hesitate to contact me.

Thanks.

Luke H. Marchant
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P.O. Box 536
Rupert, ID 83350
Phone: (208) 944-9310
Email: luke@minicassialaw.com



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From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Thursday, May 9, 2024 3:46 PM
To: luke@minicassialaw.com
Subject: Application for Transfer 88815 (Foster) - Irrigation of Corners

Luke,

I am conducting a final review of Application for Transfer 88815, which proposes to rearrange the place of use for fourteen ground water rights held by Brad and Sharol Foster. Among other things, the application proposes to move water rights off pivot corners to cover an additional quarter circle of an existing pivot. As I review aerial photos, I cannot find evidence that the corners have been irrigated in the last ten years. I wanted to provide you an opportunity to provide additional information about water use on the corners to be dried up. The corners in question are in the NENE and SESE of Section 11 and the NWNW and SWSW of Section 12. Have the corners been irrigated? If not, is there a defense to forfeiture? For example, were the corners held unirrigated to satisfy the reduction requirements under the 2015 IGWA/SWC Agreement?

James

 **IDAHO DEPARTMENT OF
WATER RESOURCES**
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

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