

Memorandum

To: File: Gem Valley Farms Bancroft-Lund Diversion File & Water
District 13-T

From: Tim Luke *TJL*

Date: October 14, 1999

Re: Christensen Well – Removing Power Supply Lock

Chad Niebaur of Gem Valley Farms called this morning and asked if he could get the watermaster to remove the lock on the power supply to the Dwaine Christensen well in Section 29. The lock was placed on the power supply late in July to provide assurance that the well could not be used pursuant to an Agreement and Consent Order that Gem Valley and IDWR executed this July. Chad had called the watermaster Craig Shuler earlier in the morning and made the same request.

Chad explained that he had spread a fertilizer (he called it a stubble digester) under a Christensen well pivot that is currently in fall grain stubble. He said the fertilizer requires about ½ inch application of water after spreading. He also explained that this is the large pivot that is already covered by the ground water right from this well. He described the pivot as the one closest to Bart Christensen's house, and across the road from Bart's house. I checked the rights and confirmed that right 13-07198A is authorized for irrigation of land in the NE1/4 of Section 29, as well as a mini-pivot to the south. The NE1/4 pivot appears to match the description and location provided by Chad and the watermaster Craig Shuler.

I advised Chad that I thought it was acceptable to remove the lock and use the well as long as the groundwater was applied to the pivots authorized by the ground water right from that well. I spoke with Norm Young afterward and advised him of the request and the advice I had given Chad. Norm felt that this was an acceptable approach. I called Chad back after talking to Norm. Craig Shuler was present with Chad at the well site. I told Craig that it was okay to unlock the well and allow it to be used on the pivot in question since I had confirmed that the pivot was authorized under the right. I further advised Craig to keep notes on when the well was turned on, where the water was being applied and approximate duration of pump operation. I informed Craig that the irrigation season runs through October 15th, so the well should not be on after the 15th. Chad was aware of the October 15th irrigation season end date when I spoke with him earlier. He said he would not need to run the well past the 15th if he started immediately.