



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 5, 2000

Gem Valley Farms
C/o Chad Neibaur
1550 Bancroft Rd
Bancroft, ID 83217

Re: Agreement for Approval of Transfer 5545

Dear Mr. Niebaur,

On January 12, 2000 you entered into an agreement with Warren P. Lloyd and David K. Lloyd regarding approval of water right transfer no. 5545. Stoddard Farms of Grace entered into this same agreement on January 13, 2000. Four items were stipulated in this agreement as follows:

1. The applicant (Gem Valley Farms) agrees to isolate the main line from the titled "Deep Well" to 309 acres within a permissible place of use of approximately 370 acres. (See attached map for specifics).
2. The mainline isolation will require a physical severence at the pump in the NENW, Section 20, T9S, R40E.
3. Each year the 309 acres will be identified at the Water District meeting to allow the water users to identify the place of use for the current crop year.
4. The watermaster of the District will be informed of the defined place of use and will be empowered to enforce the issue of proper place of use with possible financial penalty.

It is my understanding that you did not attend this year's annual water district meeting and thus did not identify the 309 acre current crop year place of use to the district water users. It is my further understanding based on a recent discussion with the watermaster that you have not yet informed the watermaster of the 309 acre place of use for this crop year.

The purpose of this letter is to advise you that you must immediately comply with item 4 of the above referenced agreement by meeting with the watermaster and identifying to him the actual 309 acre place of use. The watermaster will then report to the water district advisory committee concerning the identity of the 309 acres. This latter step is necessary because you did not comply with item three of the agreement and because the advisory committee has received inquiries concerning this matter. Additionally, the department expects compliance with items one and two of the

agreement prior to any diversion of water from the well described in item 1. Failure to comply with the provisions of the agreement may result in the Department's denial of the transfer and/or possible financial penalties.

Craig Shuler was re-elected as watermaster of Water District 13-T. Craig's address and phone number is:

255 W 4 S

Soda Springs, ID 83276

Phone: 547-3047

Respectfully,



Tim Luke

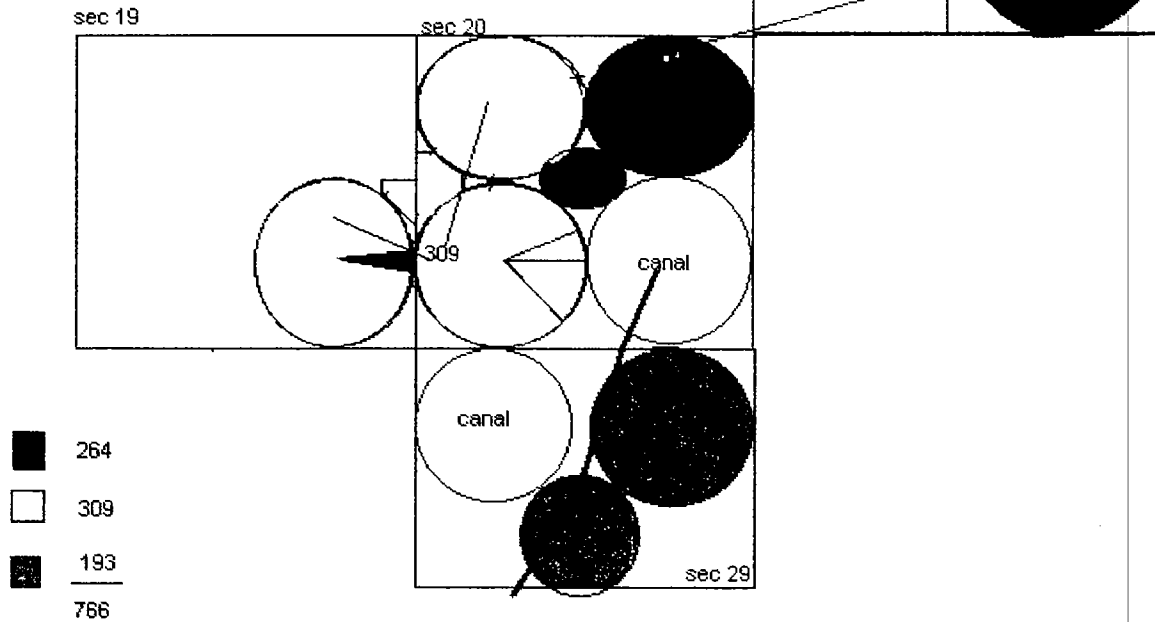
Water Distribution

Cc: Craig Shuler, Watermaster
Bart Christensen, Advisory Committee
Harold Jones, IDWR

D:\Data\MS Word 97\WtrDistricts\GemVlyLet5.doc

2000 irrigation season

Trans. 4703, 4704, 4705



42 acres

11/2/00

Note: The permissible place of use for transfer # 5545 is the three pivots shaded in yellow located in the SE $\frac{1}{4}$ Section 19 and the W $\frac{1}{2}$ Section 20, T 95 R 40E and the "corners" located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, T 95 R 40E, totaling approximately 375 acres.