



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
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PHILIP E. BATT
Governor

KARL J. DREHER
Director

Mike Reeves
2596 Rock Creek Rd
Hansen, ID
83334

August 8, 1996

Dear Mr. Reeves;

It has come to our attention that you have installed a pump in Rock Creek to irrigate Lot R-43 in the Rock Creek Ranches subdivision. Our records show that this lot was sold with 0.03 cfs of Water Right 47-00120 and 0.03 cfs of Right 47-00151. However, the historic diversion point for these rights is located upstream from your property. In order to use your pump, a water transfer approved by this Department is required. Operation of this pump without an approved transfer is illegal under Sec. 42-222 of the Idaho Code.

The problem with getting a transfer approved in this situation is that it has been twelve years since the original diversion works were used. Sec. 42-222 of the Code also states that a water right can be lost for failure to put the water to use for five consecutive years. The original headgate for the subdivision washed out in 1984 and was never replaced. If your land has not been irrigated since then, it is questionable whether you still have a valid water right. If you apply for a water transfer, we will make a determination on the status of your water rights.

I originally typed this letter on June 4, but could not get it delivered by the post office. So the watermaster on Rock Creek will be delivering it personally.

If you need assistance in this matter, feel free to contact me.

Sincerely,

James E. Stanton
Sr. Water Resource Agent