



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

July 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Jeanette Farrell, Watermaster
Goose Creek Water District
PO Box 42
New Meadows ID 83654

James Snapp
3273 Irma Ln
New Meadows ID 83654

Tona Kerby, Sec.
Brundage Water Users Assn
3175 Hwy. 55
New Meadows ID 83654

RE: Placement of Snapp pump in Goose Creek

Dear Interested Parties:

This letter is to clarify any confusion regarding Mr. Snapp's proposal to place an irrigation pump in Goose Creek for irrigation storage from Brundage Reservoir.

It is my understanding that Mr. Snapp wishes to divert (pump) directly from Goose Creek his shares of storage from Brundage Reservoir rather than utilize the surface ditch system. Mr. Snapp has indicated the delivery ditch is upstream and was not accessible to his property. This seems to draw out the question whether the Snapp property has historically been irrigated? What has changed regarding the ditch delivery system?

In order for a new point of diversion/rediversion to be established for a water right, the transfer process must be completed pursuant to Idaho Code (IC) 42-222. The code requires the Department to evaluate the following:

- Will the proposed transfer cause injury to other water right holder, this may include injury to users on the Brundage delivery ditch.
- Will the transfer constitute an enlargement of use
- Is it in the public interest
- Is the proposed change contrary to conservation of water in the state
- Input from the watermaster regarding ability to regulate and manage the change.

Brundage Water Users Assn. would have to file the necessary transfer application to have their water rights reflect a new point of rediversion for the Snapp property. The decision to pursue this action would need to be approved by the Association Boardmembers and comply with their by-laws.

Farrell/Snapp/Kerby
Page 2.

At present the Department is not processing transfer applications that are based on Snake River Basin Adjudication claims. Transfers will be considered for processing once the claims have cleared the court objection period which will be sometime in 2006 for the Little Salmon Basin #78.

Please be advised that placement of an unauthorized diversion in Goose Creek would be considered an illegal diversion, and is subject to enforcement penalties and fines by the Department pursuant to IC §42-357 & §42-1701B.

Should you have any questions please contact me at the Western Regional Office, phone 334-2190.

Sincerely

A handwritten signature in cursive script, appearing to read "John Westra".

John Westra, Manager

Enclosures to Snapp
Transfer Application Form
Consultant List-Snapp
Copy IC-42-222