



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 11, 2007

Jerry Cenarrusa
PO Box 164
Carey, ID 83320

RE: Temporary Water Transfers

Dear Mr. Cenarrusa;

Lawrence Kimball has asked me to contact you regarding temporary water transfers. As I'm sure you know, every water right is appurtenant to a specific place of use; it can only be used on that specific land without a transfer approved by IDWR. The place of use can be permanently changed through the filing of a standard transfer, but can be temporarily changed under specific conditions through the filing of a temporary transfer. Temporary transfers can only be processed if the Governor has declared your county to be an area of drought disaster, which has occurred in Blaine County this year. While the standard transfer process often takes several months, temporary transfers are normally approved in a few days with input from the local watermaster. Temporary transfers can only be approved on surface-water rights, not on groundwater rights. Such transfers normally involve ceasing the irrigation of one field (such as when a grain crop no longer needs water) to a different field of the same size (such as a hay field that can still benefit from irrigation). The number of irrigated acres cannot increase under either type of transfer, and no other element of the water right can be enlarged. Temporary transfers are good from the date of approval until the end of that irrigation season. If the same conditions occur in a later year, a new temporary application needs to be filed in order to change the place of use (and possibly the point of diversion) again. A transfer would not be approved if it injured other water users.

While a watermaster may sometimes allow a temporary transfer under their own initiative, this is technically beyond their authority. It usually works as long as nobody complains, but could get them into trouble if someone does complain. If a transfer is needed immediately in order to save a crop, approval can be granted very quickly as long as all the necessary parties (the watermaster, our regional manager, and our main office in Boise) can be contacted for input. The regional manager normally approves temporary transfers, whereas most permanent transfers are approved in Boise.

If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Lawrence Kimball



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

July 11, 2007

Chip Molyneux
080 Laidlaw Park Rd
Carey, ID 83320

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

RE: Temporary Water Transfers

Dear Mr. Molyneux;

Lawrence Kimball has asked me to contact you regarding temporary water transfers. As I'm sure you know, every water right is appurtenant to a specific place of use; it can only be used on that specific land without a transfer approved by IDWR. The place of use can be permanently changed through the filing of a standard transfer, but can be temporarily changed under specific conditions through the filing of a temporary transfer. Temporary transfers can only be processed if the Governor has declared your county to be an area of drought disaster, which has occurred in Blaine County this year. While the standard transfer process often takes several months, temporary transfers are normally approved in a few days with input from the local watermaster. Temporary transfers can only be approved on surface-water rights, not on groundwater rights. Such transfers normally involve ceasing the irrigation of once field (such as when a grain crop no longer needs water) to a different field of the same size (such as a hay field that can still benefit from irrigation). The number of irrigated acres cannot increase under either type of transfer, and no other element of the water right can be enlarged. Temporary transfers are good from the date of approval until the end of that irrigation season. If the same conditions occur in a later year, a new temporary application needs to be filed in order to change the place of use (and possibly the point of diversion) again. A transfer would not be approved if it injured other water users.

While a watermaster may sometimes allow a temporary transfer under their own initiative, this is technically beyond their authority. It usually works as long as nobody complains, but could get them into trouble if someone does complain. If a transfer is needed immediately in order to save a crop, approval can be granted very quickly as long as all the necessary parties (the watermaster, our regional manager, and our main office in Boise) can be contacted for input. The regional manager normally approves temporary transfer, whereas most permanent transfers are approved in Boise.

If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Lawrence Kimball



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 11, 2007

Robert Whitby
496 Austin Rd
Carey, ID 83320

RE: Temporary Water Transfers

Dear Mr. Whitby;

Lawrence Kimball has asked me to contact you regarding temporary water transfers. As I'm sure you know, every water right is appurtenant to a specific place of use; it can only be used on that specific land without a transfer approved by IDWR. The place of use can be permanently changed through the filing of a standard transfer, but can be temporarily changed under specific conditions through the filing of a temporary transfer. Temporary transfers can only be processed if the Governor has declared your county to be an area of drought disaster, which has occurred in Blaine County this year. While the standard transfer process often takes several months, temporary transfers are normally approved in a few days with input from the local watermaster. Temporary transfers can only be approved on surface-water rights, not on groundwater rights. Such transfers normally involve ceasing the irrigation of one field (such as when a grain crop no longer needs water) to a different field of the same size (such as a hay field that can still benefit from irrigation). The number of irrigated acres cannot increase under either type of transfer, and no other element of the water right can be enlarged. Temporary transfers are good from the date of approval until the end of that irrigation season. If the same conditions occur in a later year, a new temporary application needs to be filed in order to change the place of use (and possibly the point of diversion) again. A transfer would not be approved if it injured other water users.

While a watermaster may sometimes allow a temporary transfer under their own initiative, this is technically beyond their authority. It usually works as long as nobody complains, but could get them into trouble if someone does complain. If a transfer is needed immediately in order to save a crop, approval can be granted very quickly as long as all the necessary parties (the watermaster, our regional manager, and our main office in Boise) can be contacted for input. The regional manager normally approves temporary transfers, whereas most permanent transfers are approved in Boise.

If you have questions, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

Cc: Lawrence Kimball