

Bird, Cindy

From: McHugh, Candice
Sent: Monday, April 15, 2002 9:49 AM
To: Bird, Cindy; Carlsen, Ernie
Subject: RE: Another Bancroft-Lund

I spoke with Brad Hammert from the City of Bancroft today regarding the likelihood of us recommending these RR rights as disallowed because they were not claimed in the prior adjudication. I suggested he contact Union Pacfic to get answers to questions he may have or to contact Cindy. I told him there is not going to be an immediate problem since our recommendations won't go out until this fall but that we wanted to give the City a head's up since this could present a problem for them.

Cindy, I think it would be helpful for you to contact Brad, confirm that the City's backup well is in fact 29-4330 and just be a point of contact for him.

Candice

-----Original Message-----

From: Bird, Cindy
Sent: Tuesday, February 12, 2002 11:05 AM
To: McHugh, Candice; Carlsen, Ernie
Subject: Another Bancroft-Lund

Hi Candice and Ernie,
SRBA claims A29-4329 (Squaw Creek Springs) and A29-4330 (ground water) are in the Bancroft-Lund Area however I don't find that they filed on them in Bancroft-Lund Adjudication. Are the claims valid or were they forfeited because they were not claimed in the B-L adjudication? The claimant is Union Pacific Railroad. They've leased these b/u claims to the City of Bancroft since 1957 for municipal use.

In the Spring of 1952 Union Pacific buried a pipeline through several landowners property and for the inconvenience they signed an agreement with property owners allowing them to tap into the pipeline with 1-1" pipe connection that allows them year round use of the water through the 1 " pipe. Do these guys need to file separate B/U claims?

Cindy

648-7648 city of Bancroft.

Bird, Cindy

From: Ciscell, Michael
Sent: Friday, April 19, 2002 10:34 AM
To: Bird, Cindy
Cc: Larson, Mark; Tuthill, Dave; Fritschle, Carter
Subject: RE: municle shapes

Cindy,

We are moving that direction. If you can get a service area map for a city by all means do. Please send a copy to Mark. We will be doing municipalities just like irrigation company service areas. Remember that a municipality is a Large POU and needs to be 'coded' that way on the Place Of Use screen under the question 'Is a POU required?'. You'll want to answer this NO. Then all rights associated with this shape can be linked to just one shape and you AV stuff is through.

Give Carter a call on this. He can help walk you through it.

Michael

-----Original Message-----

From: Bird, Cindy
Sent: Friday, April 19, 2002 10:18 AM
To: Ciscell, Michael
Subject: FW: municle shapes

Michael,
Good Friday Morning, maybe you can answer this question for me.
Cindy

-----Original Message-----

From: Bird, Cindy
Sent: Wednesday, April 10, 2002 8:33 AM
To: Carlsen, Ernie
Subject: municle shapes

Good Morning Ernie,
Does the municle claims need a shape added into the SDE layer for the service area?
Cindy

Bird, Cindy

From: McHugh, Candice
Sent: Monday, April 08, 2002 3:06 PM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: City of Bancroft

After reviewing I.C. 42-202B, 203A and 222 it seems that because a "service area" includes that area of a city that changes after the license or permit is issued and can include an area outside the city limits that perhaps the phrase "within the city limits" was not intended to be so narrow. Ernie, do you have any thoughts on why the right was limited to "within the city limits"?

-----Original Message-----

From: Bird, Cindy
Sent: Wednesday, April 03, 2002 3:06 PM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: RE: City of Bancroft

Candice,
I have another question on the City of Bancroft SRBA claims. The Bancroft-Lund described the POU as "within the City Limits of Bancroft". The SRBA claims describes sections and QQ's that are outside of the City Limits of Bancroft. I checked out the city limits of Bancroft at the assessors office. Do they need to file an enlargement claim to cover the additional acreage? Claim numbers are 29-560-563.
Thanks
cindy

-----Original Message-----

From: McHugh, Candice
Sent: Wednesday, March 27, 2002 11:44 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: City of Bancroft

Found my notes. I never called them to give them the head's up yet. I will do so. However, as we discussed, they will be disallowed using the PO2 code, use both the general condition and general remark (Ernie's words); I'm not sure about this.

-----Original Message-----

From: Bird, Cindy
Sent: Wednesday, March 27, 2002 11:38 AM
To: McHugh, Candice
Subject: City of Bancroft

Candice,
Did you ever contact the City of Bancroft on the two claims they lease from the railroad? If you remember they are not being recommended because they were not claimed in the Bancroft-Lund Decree. What happened with it if anything?

Thanks
Cindy

Bird, Cindy

From: Carlsen, Ernie
Sent: Monday, April 08, 2002 4:46 PM
To: McHugh, Candice; Bird, Cindy
Subject: RE: City of Bancroft

I agree with your assessment. And J03 now makes reference to service area.
Ernie

-----Original Message-----

From: McHugh, Candice
Sent: Monday, April 08, 2002 4:33 PM
To: McHugh, Candice; Carlsen, Ernie; Bird, Cindy
Subject: RE: City of Bancroft

ONLY if they changed their "rate of flow" capacity does it matter. If their volume has increased we do not require an enlargement either.

-----Original Message-----

From: McHugh, Candice
Sent: Monday, April 08, 2002 4:25 PM
To: Carlsen, Ernie; Bird, Cindy
Cc: McHugh, Candice
Subject: RE: City of Bancroft

Administrative Memo #18 states that a city's POU can change without any water right transactions so long as they do not increase the diversion rate capacity for the existing right. Although that memo limits who can hold a municipal water right, the statute changes that section. However, the other analysis remains, thus, I believe we can change the POU to City of Bancroft "service area" with our standard remark J03 (Ernie correct me if I'm wrong) without getting an enlargement claim unless they have exceeded their prior capacity.

-----Original Message-----

From: Carlsen, Ernie
Sent: Monday, April 08, 2002 3:48 PM
To: McHugh, Candice; Bird, Cindy
Subject: RE: City of Bancroft

At the time of the Bancroft Lund claims review the standard remark contained the phrase "within the city limits". I believe Jo Beeman, for one, who represented(s) City of Pocatello pushed the department in the direction of adding "service area". I expect if taken to court the more restrictive remark would not hold up. Municipalities seem to have maximum flexibility regarding their application of water rights.
Ernie

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