

Carlsen, Ernie

From: Fred_Price@blm.gov
Sent: Tuesday, February 24, 2004 1:56 PM
To: Carlsen, Ernie
Cc: McHugh, Candice; larry.brown@usdoj.gov
Subject: RE: FW: RE: 29-02297; Claimant: Estate of Ray Parks

Ernie,

Yes, the point labeled as "Spring" and located in the SWNWNW, S34, T07S, R35E is the POD for 29-02297. The spring is near the entrance to a mine. The point labeled trough is not associated with 29-02297. 29-02297 should not involve anything in S35. I don't see a reference to a "US 2656" on the map. 29-02297 is not a claim for mining nor is it associated with any mining activity.

Fred

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|      |      | |
|      |      | "Carlsen, Ernie" |
|      |      | <ECarlsen@idwr.st|
|      |      | ate.id.us>      |
|      |      |      |
|      |      | 02/19/2004 12:45 |
|      |      | PM                |
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|      |
|      | To:    "Fred_Price@blm.gov" <Fred_Price@blm.gov>
|      |
|      | cc:    "McHugh, Candice" <cmchugh@idwr.state.id.us>
|      |
|      | Subject: RE: FW: RE: 29-02297; Claimant: Estate of Ray Parks
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Fred thanks for the map. In the SWNWNW Sec 34 there is a spring. Would that be the point of diversion for 29-2297? The BLM map included with the objection show a tract of land with a US number in that same area. The number is not clear on the copy I have access too but may be US 2656. Is this a mining claim? I did not see any thing labeled in the NENENE of Sec35 or Sec 33.
Ernie

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

From: McHugh, Candice
Sent: Thursday, February 19, 2004 9:39 AM
To: Carlsen, Ernie
Subject: FW: FW: RE: 29-02297; Claimant: Estate of Ray Parks

FYI

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

From: Fred_Price@blm.gov [mailto:Fred_Price@blm.gov]
Sent: Thursday, February 19, 2004 8:53 AM
To: McHugh, Candice
Cc: 'Larry.Brown@usdoj.gov'; Music, Vicky
Subject: Re: FW: RE: 29-02297; Claimant: Estate of Ray Parks

Yes, we GPS'd the POD, see the attached .jpg file.
(See attached file: 29-02297parks_map2.jpg)

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"McHugh, Candice"	
<cmchugh@idwr.state.id.us>	
02/18/2004 02:54	
PM	

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|
|   To:    "'Larry.Brown@usdoj.gov'" <Larry.Brown@usdoj.gov'>,
|   "Fred_Price@blm.gov" <Fred_Price@blm.gov>
|   cc:    "Music, Vicky" <vmusic@idwr.state.id.us>
|
|   Subject: FW: RE: 29-02297; Claimant: Estate of Ray Parks
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Larry and Fred,

Please refer to Ernie's email below. Do you have GPS data for the POD?

Candice

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> -----Original Message-----
> From:    Carlsen, Ernie
> Sent:    Wednesday, February 18, 2004 12:21 PM
> To:      McHugh, Candice
> Subject: Task Status Report: RE: 29-02297; Claimant: Estate of Ray
> Parks
>
> Candice, I have looked at the available mapping at it appears the POD
> might be in the SWNWNW Section 34. Looks like there is a mining claim in
> that 10 acre tract. There is no particular reason to associate the POD
> with the NENENE Section 35. The NENENE Section 33 makes more sense but
> still nothing to indicate the POD is in that location. Larry mentions in
> his email that the BLM will GPS the POD. Can we get the coordinates from
> them?
> Ernie
>
> -----Original Task-----
> Subject: RE: 29-02297; Claimant: Estate of Ray Parks
>
> Status:  Not Started
> % Complete:  0%

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>
> Total work: 0 hours
> Actual work: 0 hours
>
> Requested by: Carlsen, Ernie
>
>
> -----
> From: McHugh, Candice
> Sent: Thursday, January 22, 2004 11:38 AM
> To: 'Larry.Brown@usdoj.gov'
> Cc: Carlsen, Ernie; Music, Vicky
> Subject: RE: 29-02297; Claimant: Estate of Ray Parks
>
> Yes.
>
> Ernie, I don't see why we cannot use the accomplished transfer statute to
> correct this pod. Of course, we need to verify where in fact the pod is.
>
>
> -----Original Message-----
> From: Larry.Brown@usdoj.gov [mailto:Larry.Brown@usdoj.gov]
> Sent: Thursday, January 22, 2004 11:26 AM
> To: 'cmchugh@idwr.state.id.us'
> Subject: RE: 29-02297; Claimant: Estate of Ray Parks
>
>
> The POD, the way I understand it, has always been in the same place. It
> was incorrectly claimed in the licensing process by Parks, and now the
> problem has been inherited by Bannock County. So, lets call it a change
> in POD prior to 1976, do an accomplished transfer, and file a Motion to
> File and Amended Notice of Claim. Would that be OK?
>
> -----Original Message-----
> From: cmchugh@idwr.state.id.us [mailto:cmchugh@idwr.state.id.us]
> Sent: Thursday, January 22, 2004 1:16 PM
> To: Brown, Larry; cmchugh@idwr.state.id.us; Fred_Price@blm.gov;
> vmusic@idwr.state.id.us
> Cc: Casey_O'Brien@blm.gov
> Subject: RE: 29-02297; Claimant: Estate of Ray Parks
>
>
> It depends on when the change to the POD occurred. If it occurred prior
> to
> 1987 we can just do an accomplished transfer and an amended claim if
> necessary. If it occurred after 1987 then I think a transfer is
> appropriate. As for the GPS license amendment process, I would not see
> that
> as a good option in this case.

>
> Candice
>
> -----Original Message-----
> From: Larry.Brown@usdoj.gov [mailto:Larry.Brown@usdoj.gov]
> Sent: Thursday, January 22, 2004 11:11 AM
> To: 'cmchugh@idwr.state.id.us'; 'Fred_Price@blm.gov';
> 'vmusic@idwr.state.id.us'
> Cc: 'Casey_O'Brien@blm.gov'
> Subject: 29-02297; Claimant: Estate of Ray Parks
>
>
> According to my information, the land designated as POUs is now owned by
> Bannock County, Idaho. I spoke with Mr. Tim Shutliff, the County
> Engineer.
> He confirmed that the land is owned by Bannock County and water from the
> POD
> on BLM land is being used for irrigation within the same POUs described
in
> the Director's Report, although the house is no longer there. We agreed
> to
> settle by amending the POD as follows:
>
> T07S, R35E, Section 35, NENENE
>
> The license, the notice of claim, and the director's report all
designated
> T07S, R35E, Section 34, NWNWNW as the POD. FRED: Please verify that the
> GPS location of the POD is Section 35, NENENE. We may need to do a GPS
> assisted license amendment on this one, unless a Standard Form 4, Motion
> to
> File Amended Notice of Claim would accomplish the change. We also need
to
> have the county complete a Notice of Change of Ownership. Fred: Please
> prepare a Notice of Change of Ownership and be sure to have signature
> blocks
> for the three county commissioners of Bannock County. I think County of
> Bannock, State of Idaho, would be the proper way to described the County,
> but check with Candice first. The County will provide a deed along with
> the
> signed Notice of Change of Ownership.
>
> Candice: What is the most expedient method of changing the POD on this
> licensed right? The POD is on public land, not private land. Should we
> get
> the county to file for a transfer, or can the County use the GPS assisted
> license amendment procedure? Or, can the change be accomplished by SF-4?
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