

## Saxton, Craig

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**From:** Saxton, Craig  
**Sent:** Wednesday, April 24, 2002 11:06 AM  
**To:** Tuthill, Dave  
**Cc:** Shurte, Jan; Carlsen, Ernie  
**Subject:** Error in Licensing of 29-07846

Hello Dave,

Per Adjudication Memo #41 and as discussed in a Western Region AJ meeting, it is my understanding that guidance on the below issue should be sent directly to you. CC'd to Jan and Ernie.

29-07846 is an irrigation right SE of Pocatello. The Field exam was done on 7/19/99 and was licensed in 2001. The permitted and licensed POU and POD are in the SWSW of T7S, R35E, S.18. However, Bannock county parcel data indicate that the owners of the license don't own property in the above legal description.

In addition, AJ field exam on 7/31/2001 performed by myself, confirms that the SWSW of S.18 is owned by Little Red Hen Inc. (C/O Dr. Thomas McDevitt) and is irrigated under right 29-04244. All information I have gathered indicate that 29-07846 should have been licensed in in the SESW. See attached JPG.



29-07846.jpg



29-07846  
License.RTF

I spoke with Kay Walker this morning. I am informed that there isn't much that can be done about this issue on the Allocations side short of the claimant filing a transfer.

I have requested that Keith Wilson send me the GPS coordinates taken during the Field exam in 1999 to confirm that the location of the POD is actually in the SESW.

Adjudication Memo #41 states, "...the adjudication staff should request the Water Allocation Bureau Chief to reconsider the license or transfer. This request should be routed through the Adjudication Bureau Chief...". Thus, I am informing you of this issue.

Until such time that this is reviewed by Allocations, I need some guidance on how to recommend the SRBA claim.

Thank you,

Craig Saxton

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**From:** Wilson, Keith  
**Sent:** Wednesday, April 24, 2002 11:34 AM  
**To:** Saxton, Craig  
**Subject:** RE: 29-07846

Craig,

All that I can find on 29-7846 is the license and a copy of the usgs quad with the P/U & P/D in SWSW, S18, T7S, R35E. I did not find any GPS file associated with 29-7846. About all I can say is that the complete file is in the state office. You could go to the vault and see if there is anything there that would help you (Well at least deal with this issue.).

I looked in ArcView and I agree it appears that the place of use should be in the SESW S18, T7S, R35E (using 1987 naap aerial)

Keith

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

**From:** Saxton, Craig  
**Sent:** Wednesday, April 24, 2002 10:06 AM  
**To:** Wilson, Keith  
**Subject:** 29-07846

Hey Keith,

How are things in IF? Not too bad on this side of the state.

I got an issue. 29-07846 is an irrigation right. Licensed in 2001. Field Exam in 7/19/99. The permitted and licensed POU and POD are in the SWSW of T7S, R35E, S. 18. However, Bannock county parcel data indicate that the owners of the license don't own property in the above legal description. In fact, I think it should have been licensed in the SESW. See attached JPG.

<< File: 29-07846.jpg >>

I spoke with Kay Walker this morning. Sounds like there isn't much that can be done about this issue on the Allocations side short of filing a transfer. I am looking into what the AJ side can do.

Now to my point: Do you have the field exam GPS coordinates taken for this field exam. I would like to confirm that the field examiner did take the POD location in the SESW. Plus, having that coordinate will help me make my AJ recommendation assuming I can correct this error.

Much appreciated.

Craig

## Saxton, Craig

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