Carlsen, Ernie

From: Carlsen, Ernie
Sent: Thursday, May 11, 2006 11:16 AM
To: Rigby, Jerry (IWRB Member)
Subject: RE: City of Blackfoot Transfer

Jerry my answers to the questions posed by Travis follow each question.
Ernie

-----Original Message-----
From: Jerry Rigby [mailto:jrigby@rigby-thatcher.com]
Sent: Friday, May 05, 2006 11:59 AM
To: Carlsen, Ernie
Subject: FW: City of Blackfoot Transfer
Importance: High

Ernie,
I received this email from Travis the other day following a conversation I had where I attempted to impress upon him to just realize this can work if it isn't scrutinized too much. He said that he agreed and that it could be a win/win for everyone. Then I received this as though we hadn't even talked.
Anyway, is there something that we can do to answer these questions sufficiently to have them satisfied?
Thanks for your help
PS. Ron C. and I need to come and talk to you about Fremont/Madison water rights next week. Would you have some time any late afternoon next week?
Thanks

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From: Travis Thompson [mailto:tlt@idahowaters.com]
Sent: Tuesday, May 02, 2006 11:01 AM
To: Jerry Rigby
Cc: Roger D. Ling; Kent Fletcher; Tom Arkoosh (E-mail); jks@idahowaters.com
Subject: City of Blackfoot Transfer
Importance: High

Jerry,

Thanks for your patience on this matter. I spoke with Roger, Kent, and John yesterday about the Blackfoot transfer. I received the letter from Ernie Carlsen documenting the history of the water right. Before agreeing to withdraw the protest we need some additional information from New Sweden.

1) Why was a claim not filed on the water right until February 11, 2005?[Carlsen, Ernie] I have been told the claim was not filed earlier because of an oversight by the management at New Sweden Irrigation District (NSID).
2) Please provide the watermaster records which show the diversions of New Sweden and the source of that water.[Carlsen, Ernie] All of NSID's water rights have a source of Snake River. In the WD1 annual report diversions for NSID are listed under Great Western Canal and Porter Canal.
3) Please provide the records that show when New Sweden obtained this right. Was there a transfer from another entity?[Carlsen, Ernie] What little record the Department has for decreed right 1-

181 tends to indicate the Taylor and Goshen Canal, the original right holder, ceased to function as an organized canal in 1914 when transfers 129 and 130 moved 140 cfs to the Woodville Canal and Osgood Canal. There is no formal record for the transfer of the remaining 46 cfs (1-181C) to New Sweden Irrigation District. I have been advised examination of the records for NSID failed to locate records documenting how or when this right was obtained by the district.

4) What is New Sweden's diversion capacity?[Carlsen, Ernie] Examination of the WD1 annual reports reveals a combined total diversion rate of 1100 cfs for the Great Western Canal and Porter Canal from July 12 to 16 in 1973.

5) How many acres are irrigated by New Sweden? [Carlsen, Ernie] In the claims review process for the SRBA IDWR staff working with personnel from New Sweden Irrigation District identified 27920 acres being served by the District. This includes lands irrigated in 1987 plus land annexed into the district post 1987. Since the transfer proposes to reduce the number of acres from New Sweden's project does it plan on reducing diversions, or just plan on not using this right anymore when its available?[Carlsen, Ernie] Because of housing developments on the west side of Idaho Falls the number of acres being irrigation under the New Sweden system have been in decline for several years. The district records reveal 616 acres were petitioned out of the district since 1987. If the transfer is approved land served by the district will be 27920 - 616 = 27304 acres. I believe the intend of the transfer is to establish the two diversions on the Snake River for Jensen's Grove Pond as the only diversions for this right.

6) Does New Sweden have additional natural flow rights or does it divert through other canal companies or districts' facilities?[Carlsen, Ernie] NSID has 56 natural flow rights claimed in the SRBA totaling 1074.84 cfs including the 46 cfs under claim 1-181C. At this point in the claims review process recommendations for NSID will likely have a combined diversion rate of around 1057 cfs. Approval of the transfer would reduce the quantity diverted by NSID through the Great Western and Porter Canals by 46 cfs for a combined total of around 1011 cfs. This number is not exact because the recommendations for NSID have not been finalized. As indicated above NSID diverts its water through the Great Western and the Porter Canals.

I'll relay any additional information on to Roger and Kent once I receive it. Roger's questions stem from his review of the WD1 2000 annual report and the fact he cannot find any natural flow rights for New Sweden and didn't know where New Sweden diverts its water. Please call if you have any questions.

Thanks,

Travis

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