

Bird, Cindy

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, April 04, 2007 12:05 PM
To: david.negri@usdoj.gov; Bird, Cindy; Darren G Olsen
Subject: Fw: 24-02026 Sorensen

Jerry's reply back to me.

Steve Spencer (208) 331-5944
Boise Adjudication Team (208) 387-0842 FAX
161 E. Mallard, Suite 110 e-mail: sspencer@fs.fed.us
Boise, ID 83706
----- Forwarded by Steven M Spencer/R4/USDAFS on 04/04/2007 12:03 PM -----

"Jerry Rigby"
<jrigby@rigby-thatcher.com>
04/03/2007 07:21 PM
To
"Steven M Spencer"
<sspencer@fs.fed.us>
cc
Subject
RE: 24-02026 Sorensen

Steve,
Thanks for the info. I will go over this with my client and get back to you.
Thanks

Jerry R.
-----Original Message-----
From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Tuesday, April 03, 2007 1:22 PM
To: jrigby@rigby-thatcher.com
Subject: 24-02026 Sorensen

Jerry,
As per my voice mail message to you last week, in reviewing the objection you filed for Mr. Sorensen for 24-02026, I believe we've found an error in the legal description of the point of diversion. The description in the objection says it should be in the NWSWSE of Section 5. This is on National Forest System (NFS) land, so we've looked at the information available. If the source is going to be Webster Creek, Webster Creek does not flow through the SWSE of Section 5. In addition, if POD is going to approximate the dot on the map I obtained from the IDWR site, it appears that the POD should be in the NWNESW of Section 5, which is also on Webster Creek, and not in the NWSWSE of Section 5. The NWNESW is still on NFS land. (I have not looked into whether or not there are any irrigation facilities authorized on NFS land in this area. If they are authorized everything would appear to be OK with the Forest Service. If the Sorensen diversion and conveyance are not authorized he will be contacted by Forest Service personnel from Soda Springs to begin the procedure to get them authorized.) By doing business this way the Forest Service will not have to be actively involved in this subcase and your client's water right can

still proceed with a more accurate legal description.

I've attached marked up copies of a USGS map, a color map from IDWR showing the POD in the NWNESW of Section 5, and page 2 of the objection. Hopefully I haven't misread anything I've looked at and lead you on a wild goose chase. If you have any questions about this matter, please contact me. Thank you.

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