



FACSIMILE TRANSMITTAL SHEET

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Ernie we would like to request that an SF5 be prepared for water right no. 27-11355, RC Rich Sheep Co. to settle the Tribes' objection. We have settled on a volume of 9.7 AFY for this water right, see attached letter from Roger Ling for clarification. Should you have any questions regarding this request, please give me a call at the number above.

TELEPHONE: (208) 239-4580
FAX: (208) 239-4592

Wydział Nauk Medycznych, Zakład Fizjologii, Instytut Kardiologii, Katedra Anatomii, 20-031 Lublin, Polska

Received Time Dec. 1. 1:26PM

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October 16, 2006



Ms. Elise D. Teton
Tribal Water Engineer
Shoshone-Bannock Tribes
P. O. Box 306
Ft. Hall, Idaho 83203

RE: Water Right No. 27-11355 (stockwater)

Dear Elise:

As I explained to you in our telephone conversation on Friday, October 13, 2006, I have reviewed the Recommendation for the above stockwater right with Tom P. Rich, the President and General Manager of R. C. Rich Sheep Co. As you know, the Recommendation has provided a limitation on quantity of water diverted by stockwatering to 13,000 gallons per day. Using the average stockwater needs of 12 gallons per day per animal for adult cattle, 20 gallons per day for a cow-calf pair, and 2 gallons per day for sheep, we have determined that the use of .02 cfs per day would be a sufficient water supply for the watering of 1,077 cows, or 646 cows with calves, or 6,463 sheep. The livestock using the rangelands for grazing that have access to this water consists of cows, cows and calves, and sheep, with the numbers varying from year to year. It is not unusual to have in some years over 4,000 ewes with lambs that would depend upon this water right for stockwatering, and in some years also up to 300 cows with calves. Of course, the numbers of livestock being grazed in this area and using this water supply for stockwatering varies from year to year and may vary during the season. The stockwater needs also vary from day to day, depending upon precipitation and other events, such as temperature. The livestock of R. C. Rich Sheep Co. do utilize this water source for stockwatering throughout the period of April 1 through November 30, although weather conditions could shorten the season from a few days after April 1 to a few days prior to November 30.

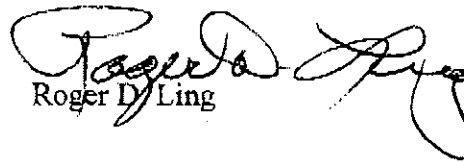
Based upon the beneficial use of this right through the years, we believe that the total quantity of water diverted for stockwatering under this right during the 244 days of the season would be 9.7 acre-feet each year. The 9.7 acre-feet per year is based upon a diversion of .02 cfs for a period of 244 days. Of course, in some years, the use may be reduced when forage for the livestock in that vicinity is not available or the marketing of lambs or calves

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occurs during the season of use, thereby reducing the number of livestock being watered during a portion of the season. However, the 9.7 acre-feet per year would be the maximum amount of water needed for stockwatering during the season of April 1 through November 30, and such annual volume is consistent with the historical use of this stockwatering right.

If we have satisfied the Objection of the Shoshone-Bannock Tribes as to season of use and annual quantities, you may forward this letter or the information contained herein to the State of Idaho for review and approval. If satisfactory to the State of Idaho, we can proceed with the preparation of an SF.5 Stipulation as to the season of use and annual volume of water diverted under this right for stockwatering purposes. If you have any questions in regard to my calculations, please feel free to contact me at any time.

Very truly yours,


Roger D. Ling

RDL:jb

pc: R. C. Rich Sheep Co.