

Norm Young

From: "Norm Young" <nyoung@eroresources.com>
To: <Carter.Fritschle@idwr.idaho.gov>
Cc: "Scott Rose" <Scott@IdahoPLaw.com>
Sent: Thursday, April 08, 2010 8:42 AM
Attach: Memo to Carter Fritschle.doc; 3808 scan.pdf
Subject: LightForce USA

Carter:

Attached is a memorandum with supporting information identifying and locating the springs diverted to the home built on LightForce's property near Pollock. If you prefer to have paper copies of this information or if additional information is needed, please let me know.

It is my understanding that amended claims, in accordance with those you prepared, will be filed to resolve the objections.

Norm

Carter -

4/12/10

We tried to email this with the attachments but it was returned. Here is the entire hard copy.

Norm

RECEIVED

APR 13 2010

DEPARTMENT OF
WATER RESOURCES

4/12/2010

MEMORANDUM

TO: CARTER FRITSCHLE
FROM: NORM YOUNG
RE: CLAIM NOS. 78- 10286 AND 78-12327 (LIGHTFORCE USA INC.)
DATE: APRIL 6, 2010

Accompanying this memorandum are maps, photographs and other information documenting the location and nature of the works constructed to divert and use water in LightForce's domestic system.

The system supplying water to the house diverts water from sources that we have termed "Spring 1" and "Spring 2" in previous discussions with you. A collection device is buried at each spring, apparently constructed by excavating the spring area, installing perforated pipe, backfilling with gravel or rock and fencing an enclosure around the collection area. A 2" diameter PVC pipeline extends from each spring to a collection box that combines the flow from Springs 1 and 2 and directs it through a common pipeline to the house and concrete vaults used for storage and modulation of flow from the springs to the house.

Item Nos. 1 and 2 are maps showing the location of Springs 1 and 2 with coordinates in WGS 84 format noting the spatial location obtained by GPS readings taken at the spring. Fritz Brownell, an Idaho-licensed surveyor with Landmark Engineering & Planning, Inc., 332 North Broadmore Way, Nampa, Idaho, determined the locations of the springs, prepared the maps, and photographed the system. I have prepared this memorandum based upon this information and discussions with Mr. Brownell.

Item No. 3 is a certification by Mr. Brownell of the legal description of the locations of Springs 1 and 2 to the nearest 10-acre legal survey subdivision. These locations differ from those listed on Claim Nos. 78-10286 and 78-12327. Mr. Brownell found that Spring 3 (located in the NESWNE Section 16 T23N R01E) is not tied into the system serving the house. Claim No. 78-12327 should not include this spring as a point of diversion, but water has been diverted and used from this spring for stock watering purposes in accordance with Claim No. 78-10286. However, points of diversion on each claim may require adjustment in accordance with the accomplished transfer we discussed to associate the earlier priority date with the Claimant's preference to use the water for domestic purposes. Are amended claims needed or can you make a correction using a procedure available to IDWR such as amending the Director's report with an accompanying SF5?

Item No. 4 is a photograph of the collection area at Spring 1. Although the collection works are buried, the location of the spring can be determined from evidence of construction activity, remnants of pipes and enclosure fence.

Item No. 5 is a photograph of the collection area at Spring 2. The spring location is identifiable by the incompletely filled trench containing the pipeline leading from the spring to the "collection box," evidence of excavation at the spring with large rock backfill, a vent pipe (foreground of photo) and the remnants of the enclosure fence.

Item No. 6 is a photograph of a watering trough located below and supplied by the pipeline from Spring 2. Small pools were noted in the surface channels below the springs indicating that flows in excess of that diverted into the buried collection systems are available and used for watering of livestock and wildlife.

Item No. 7 is a photograph of the "collection box" used to combine flow from the pipelines from the collectors at Springs 1 and 2. The pipeline from Spring 1 enters the box at the upper right side in the photograph. The pipeline from Spring 2 enters the box at the upper left side in the photograph and the pipeline to the storage vaults and house exists the box at the lower edge in the photograph. The pipeline exiting the left side of the box is an overflow.

Item No. 8 is a photograph of the four concrete vaults used for storage/flow modulation. Mr. Brownell estimated the capacity of each vault to be approximately 1200 gallons. The plastic bucket at the lower right edge of the photograph covers a valve box and the inlet of a 2-inch PVC pipeline extending to the house.

Item No. 9 is a photograph of the house supplied by the system. A barn/shop building, located south of the house, does not appear in the photograph. In addition to internal domestic uses in the house and barn, water is used to irrigate landscaping and trees near the house. Mr. Brownell was not requested to measure the irrigated area, but, based upon his visual observation, estimated the area irrigated is less than 0.2 acre.

If additional information is needed, please contact me.

Enclosures: Items 1 thru 9.

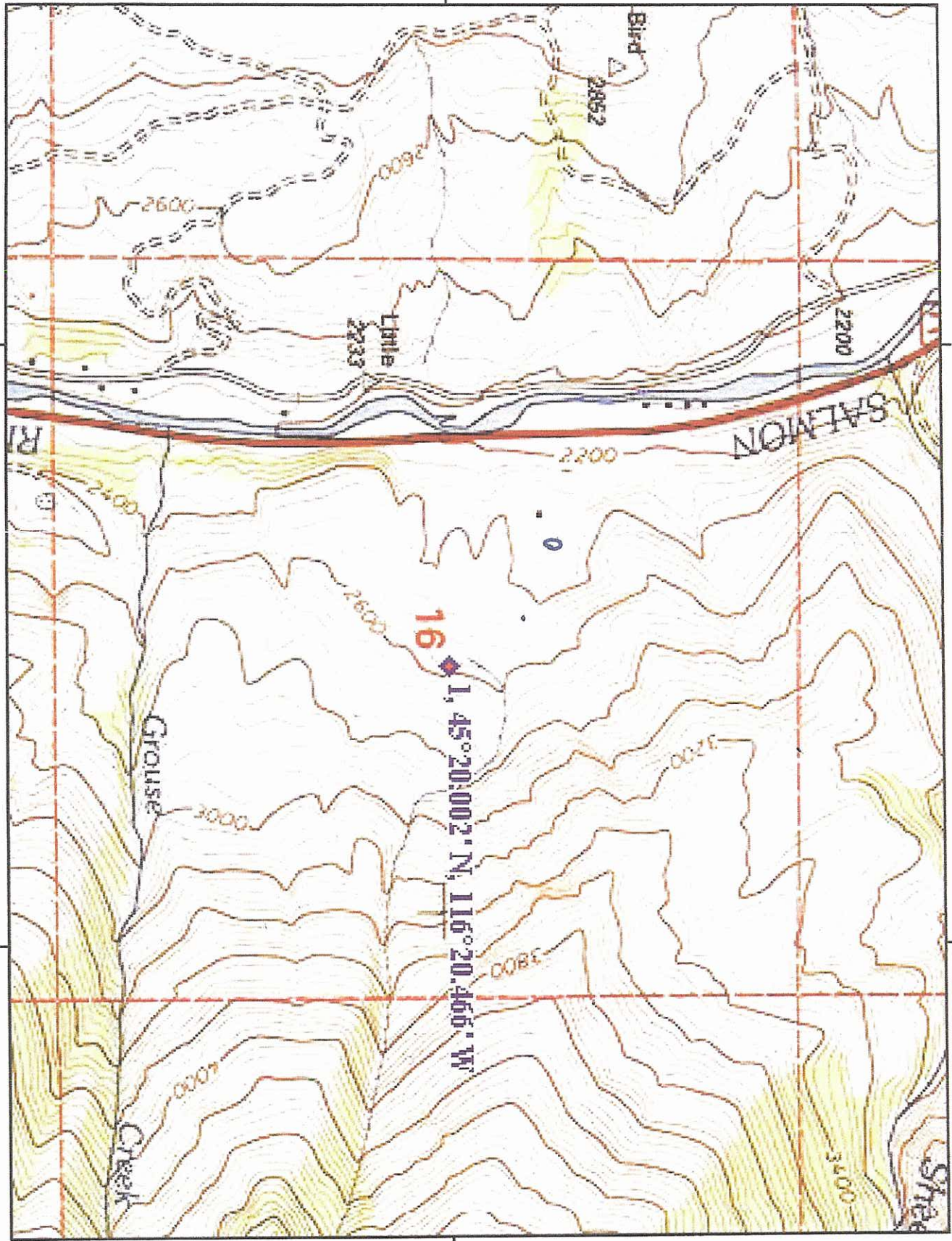
c. Scott Rose
 Fritz Brownell

Item No. 1

45°20.000' N

116°21.000' W

WGS84 116°20.000' W



116°21.000' W

WGS84 116°20.000' W

45°20.000' N

TN

15%

Map created with TIGER National Geographic Institute (www.national Geographic.com)



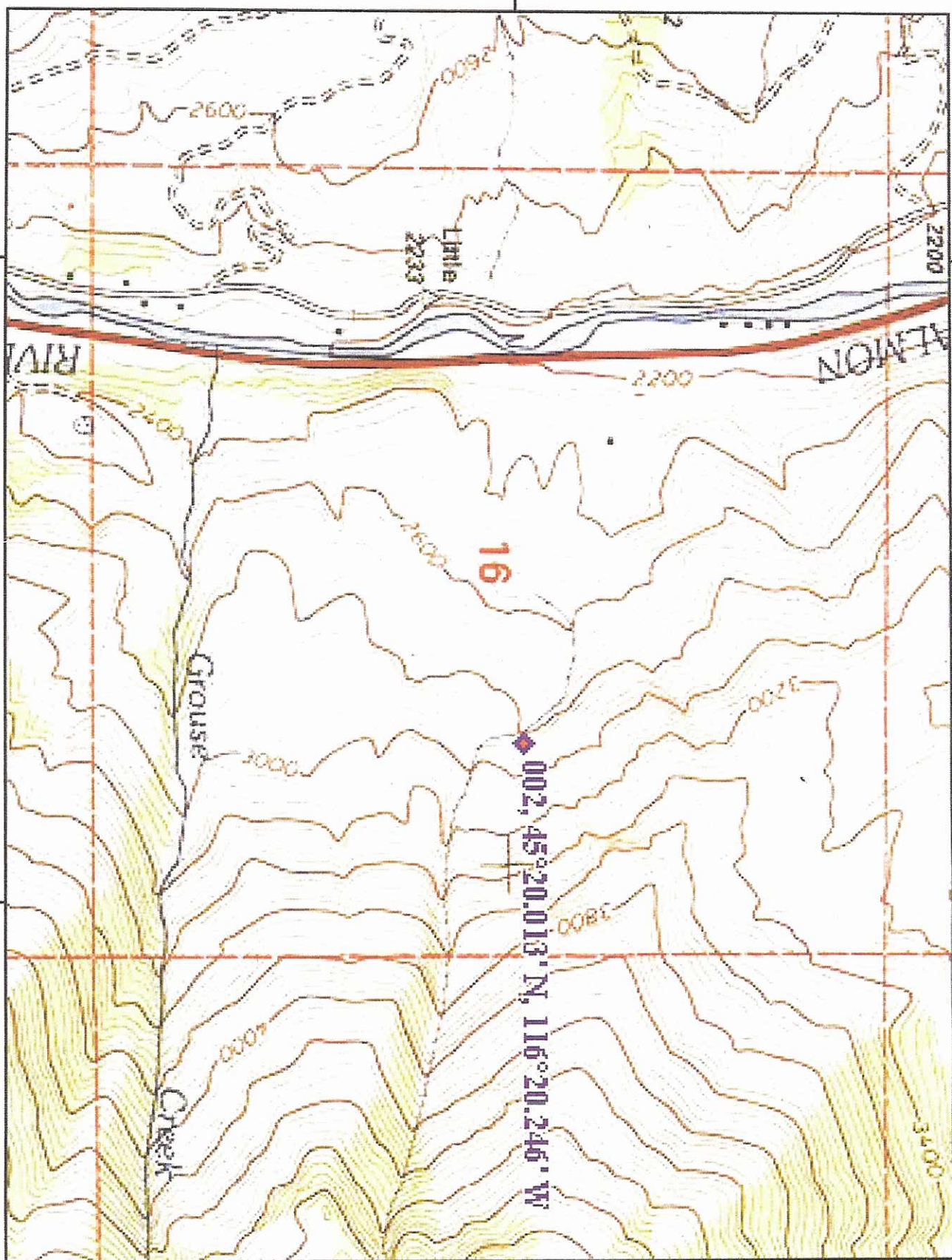
116°21.000' W

WGS84 116°20.000' W

Item No. 2

45°20.000' N

45°20.000' N



TN MIN

15°

116°21.000' W

WGS84 116°20.000' W

0 1000 FEET 0 500 1000 METERS

0 1 MILE



332 N. Broadmore Way
Nampa, ID 83687
Ph: (208) 442-6300 • Fax: (208) 466-0944

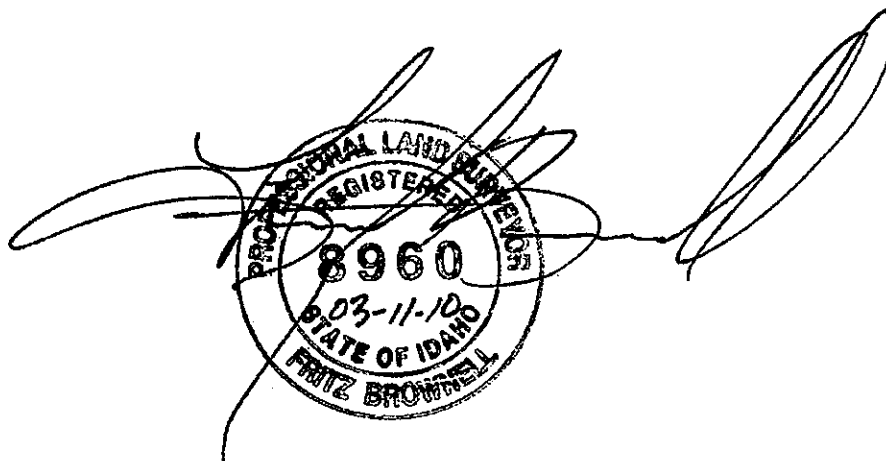
Project: C08118
Date: March 12, 2010
Page: 1 of 1

Spring No. 1
(Light Force Ranch)

This spring source is situated in a portion of the SW1/4 of the SW1/4 of the NE1/4 of Section 16, Township 23 North, Range 1 East of the Boise Meridian, Idaho County, Idaho.

Spring No. 2
(Light Force Ranch)

This spring source is situated in a portion of the SE1/4 of the SW1/4 of the NE1/4 of Section 16, Township 23 North, Range 1 East of the Boise Meridian, Idaho County, Idaho.



spring #1

ITEM NO. 4



Spring #2

ITEM NO. 5



DEAR SPRING #2

ITEM NO. 6



collection box

ITEM NO. 7





House

ITEM NO. 9

