

Erickson, Nathan

From: Blew, David <DBlew@Idahopower.com>
Sent: Friday, September 24, 2021 10:27 AM
To: Erickson, Nathan
Cc: Rosenberger, Stuart; Davis, Kresta; Pugrud, Scott
Subject: Updated POU for Fish Propagation Water Right 36-2704
Attachments: New_POU-36-2704_Fish_Prop.cpg; New_POU-36-2704_Fish_Prop.dbf;
New_POU-36-2704_Fish_Prop.prj; New_POU-36-2704_Fish_Prop.shp; New_POU-36-2704_Fish_Prop.shx; New_POU_36-2704_Fish_Prop.pdf; RE_36-2704 Niagara Springs water right.pdf

Nathan,

In early April you had an email exchange with our corporate counsel for water rights Scott Pugrud concerning the place of use (POU) for the fish propagation portion of water right 36-2704. I have attached a .pdf of that email exchange (RE_36-2704 Niagara Springs water right.pdf). You asked that we provide an updated POU for the fish propagation portion of 36-2704. I have attached a map showing the existing POU and the updated POU (New_POU_36-2704_Fish_Prop.pdf). Also attached is the GIS shapefile for the new POU.

Please let me know if you have any questions concerning the updated POU.

Sincerely,
David Blew
Idaho Power
(208) 388-5292

RECEIVED
SEP 27 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

From: [Erickson, Nathan](#)
To: [Pugrud, Scott](#)
Cc: [Blew, David](#); [Davis, Kresta](#); [Rosenberger, Stuart](#)
Subject: [EXTERNAL]RE: 36-2704 Niagara Springs water right
Date: Wednesday, April 07, 2021 1:10:39 PM
Attachments: [WR36-2704 Fish Prop POU.PDF](#)

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Hi Scott,

Thank you for the email. I agree no change to water right 36-2704 is needed if the fish propagation use is within the water rights identified legal description place of use. It sounds like this is the case with the new sturgeon ponds. It wouldn't hurt to update the fish propagation shape in the Departments records to avoid any confusion in the future. I have attached a map of what is currently represented on the Departments records. If you send me a map of the updated fish propagation footprint I will make sure it is updated. Please let me know if you have any questions.

Thanks,
Nathan

From: Pugrud, Scott [mailto:SPugrud2@idahopower.com]
Sent: Friday, April 2, 2021 3:08 PM
To: Erickson, Nathan <Nathan.Erickson@idwr.idaho.gov>
Cc: Blew, David <DBlew@idahopower.com>; Davis, Kresta <KDavis2@idahopower.com>; Rosenberger, Stuart <SRosenberger@idahopower.com>
Subject: 36-2704 Niagara Springs water right

Dear Mr. Erickson,

I am writing regarding Idaho Power's water right 36-2704. In particular, the fish propagation portion of that water right. We recently completed a new sturgeon facility at the hatchery which is located south of the existing outdoor raceways at the hatchery. This new facility will only require a small amount of water to operate and our diversions will not increase as a result of its operation.

We understand there may be some confusion over whether or not this new facility lies within the described POU for the water right. Our review of the water right shows the described POU as:

Place of Use Legal Description: FISH PROPAGATION GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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The location of the new facility lies within the legal description provided in the water right report. We would be happy to provide the department with an updated map of the current footprint of the hatchery if that would help clear up any confusion.

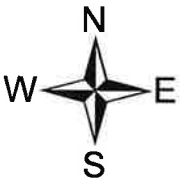
Please let me know if you would like to discuss this issue further or you would like an updated copy of the footprint of the hatchery area. We are willing to work with the department to clear up any confusion on the place of use for this water right.

Thanks,
Scott

Scott N. Pugrud
CORPORATE COUNSEL
208-388-6454

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Idaho Power
New POU for Fish Propagation 36-2704

0 0.025 0.05 0.1 Miles