

Skaggs, Pam

From: Skaggs, Pam
Sent: Tuesday, July 05, 2016 12:29 PM
To: 'Bob Loucks'
Subject: RE: Information

Bob,

I have not reviewed the information. When someone has reviewed the submitted information, we will contact you with questions or explanations. We have to balance our workload based on current priorities. We use the metes & bounds surveys in conjunction with tax lot information where available.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Bob Loucks [mailto:baloucks@centurytel.net]
Sent: Tuesday, July 05, 2016 9:36 AM
To: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: Information

Pam,

Did you get the information that I sent you on Parcel P, Elk Mountain Ranch subdivision? Have you had a chance to study it? I will do the paperwork on two other transactions (three parcels) this week. You never did tell me whether you have the Lemhi County parcel map layer on your mapping program. These parcels are all metes and bounds surveys, so it is much easier to refer to them and map them by County parcel number. That way you don't have to map the parcel by metes and bounds.

Let me know if you need more information to straighten the water rights out on this parcel.

S/Bob Loucks

ELK MOUNTAIN RANCH SUBDIVISION

June 16, 2016

RECEIVED
JUN 20 2016
WATER RESOURCES
WESTERN REGION

To: Pam Skaggs, Western Region IDWR

From: Fourth of July Creek LLC, Developers of Elk Mountain Ranch Subdivision

Subject: Straightening out the Water Rights for Parcel P (24N22E307204 A) sold to Darlings

RECEIVED
JUN 22 2016

Pam,

Enclosed with this letter are several documents:

1. A general discussion of this subdivision and the water rights involved
2. The IDWR water right reports for 75-14797 and 75-14798 with the associated IDWR POU maps
3. The Lemhi County map of Parcel P (24N22E307204)

DEPT OF WATER RESOURCES

Note that on the Lemhi County map there is a tiny sliver of green ground on the NE edge. This receives water from the original 75-135 (now 75-14463) water right. There is less than 0.10 acres in this sliver and since any water can't be controlled by Darling since it is irrigated only by tail water from the parcel above, I don't think any acreage should be subtracted from 75-14463. The ground between the sliver and the irrigated ground below it is dry and is the face of a bench that is above the creek bottom.

The irrigated ground in Parcel P is in three pieces. Two pieces lie north of the creek and are bisected by a road (Buckhorn Lane). I have marked it on both the 75-14797 POU map and on the county map. These pieces should be irrigated by a split from 75-141.

The other piece is south of the creek. I have marked it on both the 75-14798 POU map and on the county map. I think this should be a split of 75-14616, although IDWR may show a different water right. This piece contains the original house where Copelands lived. It was not part of the original purchase of the Jack Copeland Ranch by Fourth of July Creek LLC.

The part of the Jack Copeland Ranch that was not in the original Fourth of July Creek LLC purchase went through a bankruptcy. That is why you see the name, Wells Fargo Bank Northwest on some of the property. I don't know whether anything was done with the water rights to the bankruptcy property while it was tied up in court. I think the Copeland house was part of the bankruptcy.

If you will map the three irrigated pieces of Parcel P and split the water rights to the appropriate pieces, I think we can resolve this issue. Unless you want to include the "sliver" you are only dealing with two of the original rights. There is no overlap of water rights. The total irrigated acreage in Parcel P should be something less than 4 acres to subtract from the appropriate water right POUs.

S/Bob Loucks, Agent for Fourth of July Creek LLC

P.S. If you want to insure that I am authorized to act for this group, please call Bill Allen, Managing Partner at (208)756-2714. If you need paperwork, he will provide it.

P.P.S. If you need a release from the Darlings to correct this, Bill will get it. I don't see why they would be concerned since they still have the same irrigated acreage, it is just more correctly mapped.

ELK MOUNTAIN RANCH SUBDIVISION

June 11, 2016

To: Pam Skaggs - Western Region IDWR

There has to be an easier way to split the water rights among the parcels in this subdivision. In 2006, a group of folks (Fourth of July Creek LLC) purchased most of the Jack Copeland Ranch on Fourth of July Creek in Lemhi County and platted it for subdivision. A few years later, they purchased a parcel that was part of the original ranch from Wells Fargo Bank and re-platted their subdivision with the inclusion of the new parcel and a few changes in some of the old parcels.

When they originally platted the subdivision, they hired me to determine which parcels had water rights so that when the parcels were sold the water rights would go with the parcels. When the property was re-platted, they asked me to look at the changes and make the same determination. I spent quite a little time following the ditches from the PODs and determining the acreage within the parcels from each ditch. I developed an Excel spreadsheet that displayed the irrigated acreage within each parcel and the water right associated with the acreage.

This property is in a very steep canyon. It is bisected by Fourth of July Creek. There are two benches plus some bottom land on the north side of the creek. All of the property south of the creek (between the creek and the county road) is bottom land.

Subdivision Parcels & County Data

Lemhi County recorded the most recent subdivision parcel map May 13, 2009. The parcels are identified by either a name (ex. Sunnyside Ranch) or a letter (ex. Parcel P). They are further identified by County Parcel Number (ex. 24N22E301801) Township, Range, Section, number within the Section.

Water Rights

The water rights associated with this property were **75-135, 75-137, 75-141**, and part of **75-138** (75-14145, 75-14146). After I did the initial water right splits, **75-14616** was decreed to the property. About 9 irrigated acres of the property has overlapping water rights. I believe those were originally associated with **75-135** and **75-138**. The original POU contained about 92 acres. An additional 5.8 acres was added with 75-14616. So there is about 97.7 acres of POU total.

There are multiple PODs associated with these water rights; however, there are only three priority dates. Most of the rights have an 4/1/1896 priority. One small water right has a 4/1/1962 priority and one water right has a 5/1/1968 priority date.

These are very unusual water rights, in that they are decreed different quantities in different seasons. There is one quantity for April 1 to August 1 and a lesser quantity for August 2 to November 1. The acreage involved is exactly the same.

Parcels sold and WR Transfers

The first parcel sold was 24N22E301801 (Parcel H, Sunnyside Ranch) to Lance and Jennifer Coffey Ingwersen. The only WR involved was **75-135**. It was split to 75-14463 (Fourth of July LLC) and 75-14464 (Ingwersen). There are no problems with this transfer.

The second parcel sold was 24N22E307204 (Parcel P, Homestead Ranch) to William and Darlene Darling. This parcel has major problems with the WR transfers. The parcel is split by the creek. The part north of the creek (75-14797) is served by one WR (I believe it should be 75-141) and the part south of the creek (75-14798) is served by another (I believe it should be 75-14616). There are only 4.91 total

acres in this parcel; however, IDWR transferred 5.4 acres of POU to this parcel. I believe that there should be 4.5 acres or less since the creek and a road right of way are not irrigated.

Concerns

Fourth of July Creek LLC has retained me to do the paperwork on Changes of Ownership for Parcel I (to Ingwersen) and Parcels D and E (to John & Susan Harris). I don't want to do that until we sort out any corrections to Parcel P (Darling). The further these splits go, the more problems that will be created if we aren't right to begin with.

S/Bob Loucks

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/23/2016

WATER RIGHT NO. 75-14798

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARLENE M DARLING
Current Owner	WILLIAM S DARLING 282 FOURTH OF JULY CREEK RD NORTH FORK, ID 83226 208-865-2134
Original Owner	JACK R COPELAND HCR 10 BOX 40 CARMEN, ID 83462 (208)865-2451
Original Owner	SHIRLEY COPELAND HCR 10 BOX 40 NORTH FORK, ID 83466

Priority Date: 04/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FOURTH OF JULY CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	08/01	0.11 CFS	
IRRIGATION	08/02	11/01	0.08 CFS	
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

FOURTH OF JULY CREEK|NENW|Sec. 29|Township 24N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	22E	30		SENE	0.1									
				NESE	2.8									

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	22E	30		SENE	0.1									
				NESE	2.8									

Total Acres: ~~5.8~~
2.9

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM RIGHT 75-14145. *75-14616 should be a split of ~~75-14616~~*
This partial decree is subject to such general provisions necessary for the definition of the
2. C18 rights or for the efficient administration of the water rights as may be ultimately determined by
the Court at a point in time no later than the entry of a final unified decree. Section 42-1412
(6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 11/17/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

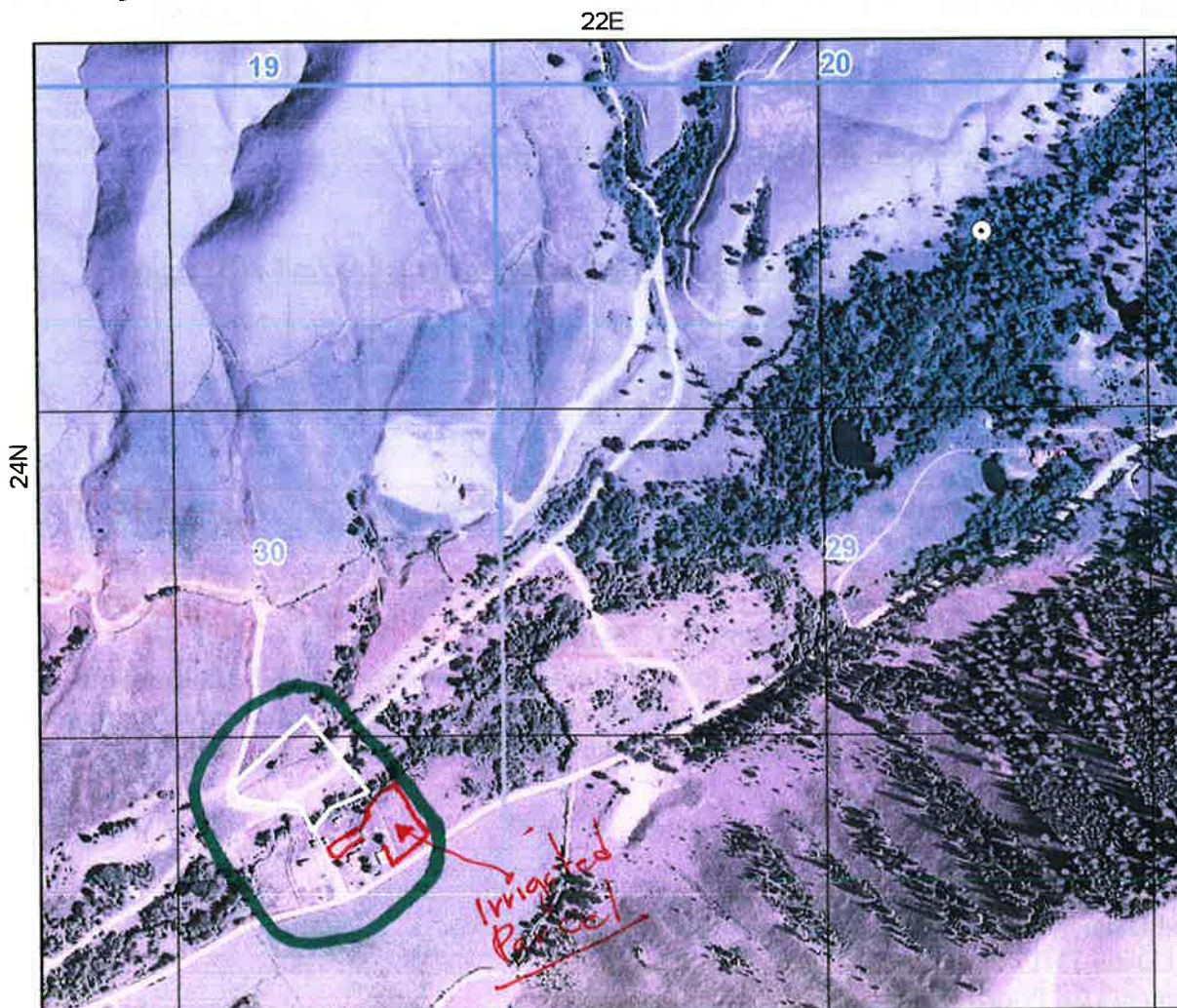
State or Federal: S

State of Idaho
Department of Water Resources

Water Right 75-14798

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/23/2016

WATER RIGHT NO. 75-14797

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARLENE M DARLING
Current Owner	WILLIAM S DARLING 282 FOURTH OF JULY CREEK RD NORTH FORK, ID 83226 208-865-2134
Original Owner	WELLS FARGO BANK NORTHWEST NA LOAN SUPPORT TEAM 999 MAIN ST BOISE, ID 83702 (208)393-5545
Original Owner	JACK R COPELAND HCR 10 BOX 40 CARMEN, ID 83462 (208)865-2451
Original Owner	SHIRLEY COPELAND HCR 10 BOX 40 NORTH FORK, ID 83466

Priority Date: 05/01/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FOURTH OF JULY CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	08/01	0.1 CFS	

Pedigree Search (History of Water Right Number splits)

Water Right Pedigree for 75-141

- Water Right Number / Status /Reason for split**
- 75-141 /Active /Ownership Change**
 - 75-14797 /Active /Ownership Change**

IRRIGATION	08/02	11/01	0.08 CFS
Total Diversion			0.1 CFS

Location of Point(s) of Diversion:

FOURTH OF JULY CREEK|SENE|Sec. 30|Township 24N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	22E	30		NESE	2.5									

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
24N	22E	30		NESE	2.5									

Total Acres: ~~5~~
2.5

Conditions of Approval:

split of 75-141

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412 (6), Idaho Code.

Dates:

Licensed Date:

Decreed Date: 11/17/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

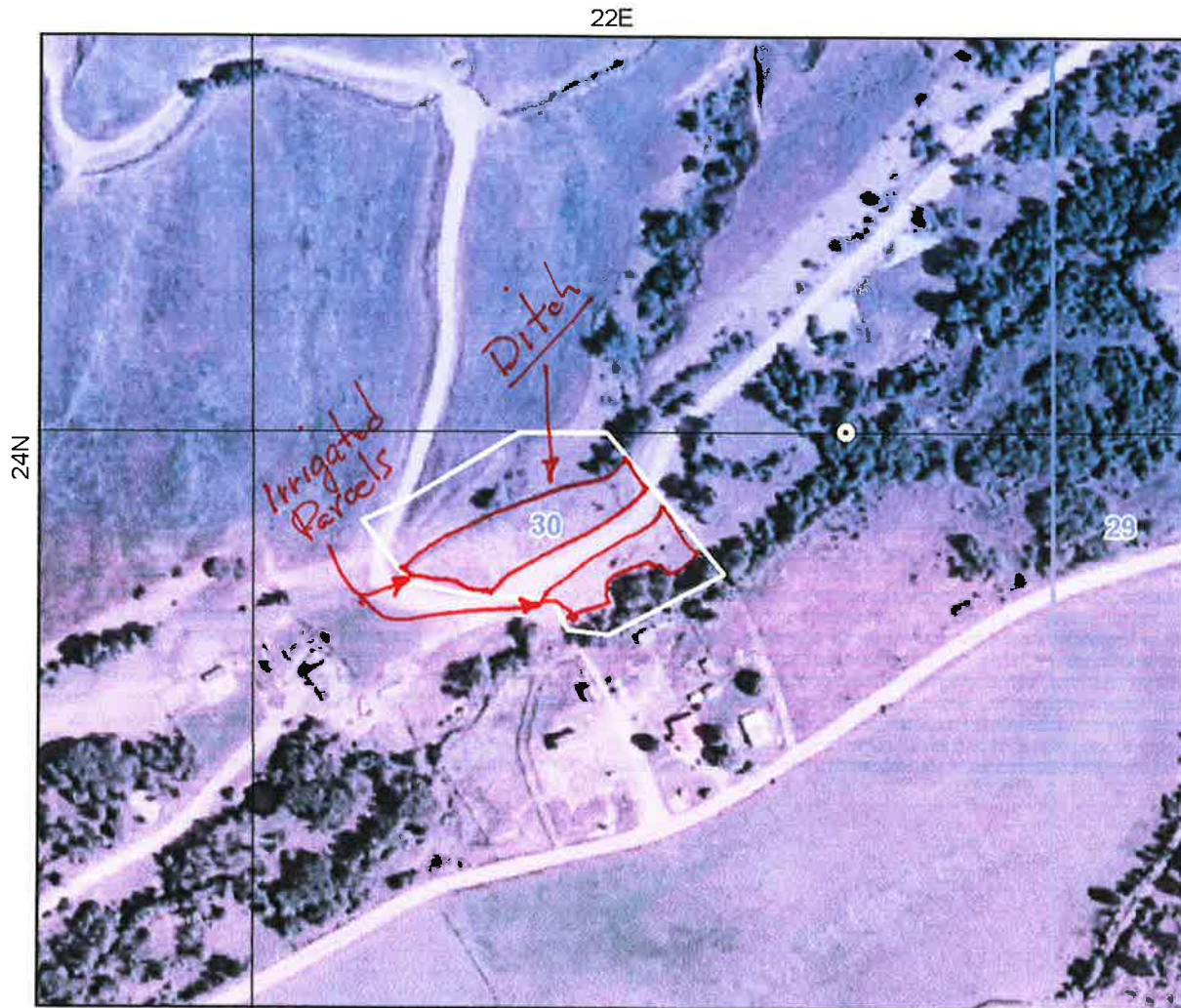
Number of Protests: 0

State of Idaho
Department of Water Resources

Water Right
75-14797

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



INGWERSEN, LANCE S
RP24N22E300003

INGWERSEN, LANCE S
RP24N22E301801

FOURTH OF JULY CREEK LLC
RP24N22E290805

FOURTH OF JULY CREEK LLC
RP24N22E301202

FOURTH OF JULY CREEK LLC
RP24N22E301503

FOURTH OF JULY CREEK LLC
RP24N22E303605

FOURTH OF JULY CREEK LLC
RP24N22E301201

FOURTH OF JULY CREEK LLC
RP24N22E301801

FOURTH OF JULY CREEK LLC
RP24N22E307205

DARLING, WILLIAM S
RP24N22E307001

MEYER, JERRY R
RP24N22E307202

MEYER, JERRY R
RP24N22E301101

FOURTH OF JULY CREEK RD

SCHULER, DAVID T
RP002160000030

DAHLE, KENT C
RP24N22E295401

SCHULER, DAVID
RP002160000020

SCHULER, DAVID
RP002160000010

TEFS FAMILY REVOCABLE TRUST
RP001430000030

Invigated Parcel

Invigated Parcel

HICKORY LN

Skaggs, Pam

From: Bob Loucks <baloucks@centurytel.net>
Sent: Thursday, June 16, 2016 11:16 AM
To: Bill Allen
Cc: Skaggs, Pam
Subject: Straightening out water rights on Darling property
Attachments: ELK MOUNTAIN RANCH SUBDIVISION.docx

Bill,

Attached is a letter that I just sent to Pam Skaggs at IDWR. She may call you to insure that I am authorized to act for Fourth of July Creek LLC in this matter. She may also require a release or some legal document from Darlings. On paper, this reduces their water right; however, as a practical matter they still have the same irrigated land that they have always had.

Note that in the letter I said that you would provide any paperwork that IDWR needs to resolve the water rights issue on Parcel P. If you have any questions, call or email me.

S/Bob Loucks

Skaggs, Pam

From: Bob Loucks <baloucks@centurytel.net>
Sent: Sunday, June 19, 2016 2:12 PM
To: Skaggs, Pam
Subject: RE: Straightening out water rights on Darling property
Attachments: ELK MOUNTAIN RANCH SUBDIVISION.docx

Pam,

Sorry, I neglected to attach the letter. I did send the letter and enclosures by regular mail. The Post Office assured me that it would reach you in 4-5 days as they are now sorting Idaho mail again at Pocatello instead of Salt Lake.
S/Bob Loucks

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Friday, June 17, 2016 12:40 PM
To: Bob Loucks
Subject: RE: Straightening out water rights on Darling property

Bob,

Did you send the letter & attachments by regular mail? There are no attachments to the email letter.

Pam

From: Bob Loucks [mailto:baloucks@centurytel.net]
Sent: Thursday, June 16, 2016 11:16 AM
To: Bill Allen <bill@allenaccounting.net>
Cc: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
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S/Bob Loucks

ELK MOUNTAIN RANCH SUBDIVISION

June 16, 2016

To: Pam Skaggs, Western Region IDWR

From: Fourth of July Creek LLC, Developers of Elk Mountain Ranch Subdivision

Subject: Straightening out the Water Rights for Parcel P (24N22E307204 A) sold to Darlings

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1. A general discussion of this subdivision and the water rights involved
2. The IDWR water right reports for 75-14797 and 75-14798 with the associated IDWR POU maps
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Note that on the Lemhi County map there is a tiny sliver of green ground on the NE edge. This receives water from the original 75-135 (now 75-14463) water right. There is less than 0.10 acres in this sliver and since any water can't be controlled by Darling since it is irrigated only by tail water from the parcel above, I don't think any acreage should be subtracted from 75-14463. The ground between the sliver and the irrigated ground below it is dry and is the face of a bench that is above the creek bottom.

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The part of the Jack Copeland Ranch that was not in the original Fourth of July Creek LLC purchase went through a bankruptcy. That is why you see the name, Wells Fargo Bank Northwest on some of the property. I don't know whether anything was done with the water rights to the bankruptcy property while it was tied up in court. I think the Copeland house was part of the bankruptcy.

If you will map the three irrigated pieces of Parcel P and split the water rights to the appropriate pieces, I think we can resolve this issue. Unless you want to include the "sliver" you are only dealing with two of the original rights. There is no overlap of water rights. The total irrigated acreage in Parcel P should be something less than 4 acres to subtract from the appropriate water right POUs.

S/Bob Loucks, Agent for Fourth of July Creek LLC

P.S. If you want to insure that I am authorized to act for this group, please call Bill Allen, Managing Partner at (208)756-2714. If you need paperwork, he will provide it.

P.P.S. If you need a release from the Darlings to correct this, Bill will get it. I don't see why they would be concerned since they still have the same irrigated acreage, it is just more correctly mapped.

Skaggs, Pam

From: Bob Loucks <baloucks@centurytel.net>
Sent: Wednesday, June 15, 2016 12:40 PM
To: Skaggs, Pam
Cc: Bill Allen
Subject: RE: Transfer Processing in Basin 75
Attachments: Data - New 5-25-16.xlsx

Pam,

You are absolutely right. We are discussing ownership changes. The real problem with these water rights is not the POU defined on paper, it is that the mapping of the POU is abysmal. Because Basin 75 was investigated at the same time as most of the SRBA was being processed, the mapping was conducted by the Northern Region Office. I'm sure that they are fine people, but they know nothing about irrigation (especially on hillsides). Water needs to come from a POD and flow to a POU in a ditch. For the most part, the POU is below the ditch on a hillside. In rare cases, a ditch goes down a ridge and waters both directions. In 2007, when I looked at IDWR's proposed POU on the different water rights, in most cases the ground was in the proper QQ but other than that about all you could say was it was on the right mountain and usually on the correct side of the creek. The proposed POUs had no relationship to the conveyance ditches.

You probably have a lot more experience dealing with ownership changes in a subdivision than I do. I don't know how you usually handle them. I've been dealing with water rights, transfers, and ownership changes for about 45 years, but have never dealt with subdivision to multiple parcels. In my naiveté, I assumed that parcels were probably described by County Parcel number. Since the Parcels are already mapped by the County from the deed and acreage of irrigated and dry ground identified, it would seem logical that the water right could be identified as long as the POD is determined. For the most part, the county acreage data and the IDWR data match up pretty well. For example, when the Ingwersen water right was split from 75-135 IDWR mapped 15.41 acres. I mapped 15.4 acres in 2006; the County mapped 16.77 irrigated acres (although just because acreage may be influenced by irrigation doesn't mean that it has a water right).

This is the reason that I asked you if your mapping program includes the County Parcel data layer. If we are going to assign the correct water rights to a parcel of the property, we need to know that we are all discussing the same parcel. Attached to this email is an Excel workbook. The first worksheet is the County Parcel data. The second worksheet is the current IDWR water right data. The third worksheet is the water right splits and overlaps by Subdivision Lot that I mapped 10 years ago. The only instance where the County data and my data are much different is Parcel I. I said it should get 6.91 acres of water right; the County says that there is actually about 15 acres irrigated. The County is correct (remember that in my defense, the county parcel data had not been developed when I examined the water rights). The only other place the County and I differ is Parcel D. The County says the entire parcel is dry; I say that all the POU of 75-137 is located on that parcel. 75-137 is such a junior water right that it is probably not being used until the parcel sells which is why the Assessors would identify it as dry ground.

On behalf of the owners of Fourth of July Creek LLC, I will be presenting data on Parcel P (the Darling split). There should not be overlapping water rights on this parcel. Part of the POU is north of the creek, served by one right; the other POU is south of the creek and is served by a different water right. There should only be about 4.5 acres of water rights split to this parcel. We need to be sure that only the correct acreage is ascribed to each parcel so that as parcels sell the acreage is not "used up" before later parcels are sold.

I know that the split that IDWR described is sent to both parties. However, I also know that most folks don't spend any time examining the data. We all just assume that IDWR got it right. I don't know about anyone else, but I find the current IDWR practice of assigning new numbers to each split much more confusing than the old practice of assigning letters (ex. 75-135 split to 75-135A and 75-135B as opposed to 75-14463 and 75-14464). Before you get through doing all the splits in this subdivision, you will have to have a computer just to track all the water rights numbers and parentage.

In any case, I will mail you information on Parcel P. The owners of the Subdivision have asked me to prepare the paperwork for the additional sale of two properties (3 parcels). I will do that, however, I think it is important to first correct the Parcel P split.

S/Bob Loucks

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Tuesday, June 14, 2016 3:05 PM
To: Bob Loucks
Subject: RE: Transfer Processing in Basin 75

Bob,

It seems that we are discussing ownership changes instead of transfers. Transfers change the elements of the rights like changing the point of diversion or place of use. Ownership changes occur when someone purchases land that has a water right appurtenant and they want to have the right or portion of the right changed into their name. This is a common confusion of terms.

The example I pulled up in our database was Right 75-141 was split by ownership resulting in Right 75-14797 in the name of Darling and the balance of the right remaining under Right 75-141 in the name of Fourth of July Creek LLC.

The elements of Right 75-14797 as decreed were as shown below.

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
Case No. 39576	)	I.R.C.P. 54(b) FOR
	)	Water Right 75-00141
NAME AND ADDRESS:		
FOURTH OF JULY CREEK LLC		
807 MAIN ST		
SALMON, ID 83467		
SOURCE:		
FOURTH OF JULY CREEK TRIBUTARY: SALMON RIVER		
QUANTITY:		
0.16 CFS		
PRIORITY DATE:		
05/01/1968		
POINT OF DIVERSION:		
T24N R22E S30 SENE Within Lemhi County		
PURPOSE AND PERIOD OF USE:		
PURPOSE OF USE PERIOD OF USE QUANTITY		
Irrigation 04-01 TO 08-01 0.16 CFS		
Irrigation 08-02 TO 11-01 0.12 CFS		
PLACE OF USE:		
Irrigation		
T24N R22E S30 NENE 4.0		
4.0 Acres Total Within Lemhi County		

The ownership change is based on the property conveyance documents. The Warranty Deed submitted by the Darlings described the land specifically by metes and bounds description and included all appurtenances. The land included a 2.5 acre middle portion of Right 75-141 place of use. The right was split accordingly. The two rights after the ownership change was completed equal the originally decreed amounts.

Basin	Sequence	Priority Date	Diversion Rate	Total Acres	Water Use List	Current Owner
75	141	5/1/1968	0.060	1.5	IRRIGATION	FOURTH OF JULY CREEK LLC
75	14797	5/1/1968	0.100	2.5	IRRIGATION	DARLING, DARLENE M; DARLING, WILLIAM S
			0.160	4.0		

If the right holder thinks other ownership splits were not completed correctly, please have them submit documentation to support a different outcome. It appears that the two original places of use for 75-141 & 75-14145 overlapped on the parcel sold to Darlings, so they got a piece of each of the decreed rights. The acres aren't additive, but appear stacked on the irrigated portion of the lot.

We follow the conveyance documents that are provided and split rights proportionally or as limited on the conveyance documents. The seller should be specific in deeding portions of the water right with the land if it is not simply the proportion associated with the parcel. You cannot move portions of rights from one lot to another through an ownership change, that requires a transfer.

This is my quick look. We won't spend time reviewing completed items unless the right holder provides better information and a request to correct the splits. Both owners received notice when the rights were split just for this purpose.

I hope this helps you understand the ownership change process.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Bob Loucks [<mailto:baloucks@centurytel.net>]
Sent: Tuesday, June 14, 2016 12:21 PM
To: Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov>
Subject: RE: Transfer Processing in Basin 75

Pam,

Thank you so much for responding. I would like to work with you to do some transfers within the Elk Mountain Ranch subdivision (owners Fourth of July Creek LLC). I did quite a lot of work for them when they originally proposed the subdivision, so that when they sold a parcel they could properly represent to the new owner how much water right was also conveyed. There are 16 parcels in this subdivision. Four of the parcels have no irrigated ground. To date, water rights have been transferred on two parcels. Water rights on the Ingwersen parcel were transferred correctly. I believe, however, that the transfer on the Darling parcel is incorrect. The POU transferred is greater than the total acreage in the parcel and I think the two parent water rights are also incorrect.

Currently, the owners want to transfer water rights on three additional parcels that have been sold. If you have worked with these parcels formerly, you know that the parent water rights are very different in that different quantities are decreed in different seasons. I don't know if it is just an idiosyncrasy of the IDWR software or what, but the acreage is double counted to get to the total acreage. I don't think we want to leave the sellers in a position of responding to future lawsuits because they run out of irrigated acres to distribute to new owners.

Does the mapping software that you are using contain a County Parcel layer? I have a copy of the County Parcels on this property. I also have a copy of what the county has mapped as irrigated vs. dry acreage. I have reduced that to an Excel spreadsheet. I suggest that we first try to straighten out the transfer for 24N22E307204 A (Parcel P, Homestead Ranch).

I have been asked by the sellers to do the paperwork for the transfers on the three parcels. Can I work with you to insure that we wind up with close to the amount of irrigated acreage from the appropriate water rights? Thanks for your help.

S/Bob Loucks

From: Skaggs, Pam [<mailto:Pam.Skaggs@idwr.idaho.gov>]
Sent: Tuesday, June 14, 2016 10:44 AM
To: baloucks@centurytel.net
Subject: Transfer Processing in Basin 75

Bob,

I received your voice message today. My group in the State Office are processing all the applications in Basins 73, 74 & 75.

If you have transfer applications proposed for basin 75, they should be mailed to our office at:

IDWR

322 E. FRONT ST

PO BOX 83720

BOISE ID 83720-0098.

We will evaluate them and contact the applicant if we have any additional information. If you are acting as their representative, you can also be listed on the application for communications. If you have general questions about transfers, please call me directly and I will be glad to assist you.

Pam

Pamela S. Skaggs

Water Rights Supervisor

Idaho Department of Water Resources

322 E Front St

PO Box 83720

Boise ID 83720-0098

Phone (208) 287-4951

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