

Keen, Shelley

From: Keen, Shelley
Sent: Thursday, September 25, 2008 3:44 PM
To: Carlsen, Ernie
Subject: Request to do a couple of field inspections when you have time

Ernie,

Thanks for agreeing to take a look at these two water rights when someone in your group has a chance.

Claine Haggard filed Application 27-12038 in 2004. It is very similar to Permit 27-11986, which was issued to Mr. Haggard in 2004. He submitted proof of beneficial use for 27-11986 in 2005. The mitigation plan approved for 27-11986 and the one proposed for 27-12038 called for Blackfoot Irrigation Company water to be run into a recharge pond. The recharge was supposed to be authorized by a transfer or WSB lease/rental (which is still current practice when the mitigation results in a change in nature of use). When I checked recently, I did not find a transfer or a WSB rental authorizing the use of surface water for recharge. Before addressing Application 27-12038, I would like to know the extent of development under 27-11986, including whether any mitigation was attempted. A beneficial use field exam for 27-11986 should provide the information we need.

IDWR issued License 22-7749 to Jerelyn Hill in 2001. After the license was issued, its accuracy was questioned in two ways. First, based on the examiner's report, the POD and POU are in the NENE of Section 16. The county assessor told me in 2004 that the Hills' land is all in the South Half of the NE quarter of Section 16. Second, due to a typo, the POD is listed in Section 10, not in Section 16. Because the POD is listed in Section 10, Joe Hill thinks he can cross the land of Mr. Robinson, his neighbor, to maintain the "ditch". IDWR's field examiner concluded the "ditch" is a natural channel. Anyway, if someone could determine whether the POD and POU are on the Hills' land or not, it would help me correct the license.

Thanks.

Shelley