

MEMORANDUM

Date: November 22, 2017

To: Application for Permit 1-10613

From: Pam Skaggs 

Re: Protestant Inventory and Status

The Idaho Water Resource Board filed multiple applications for ground water recharge use in 1998 that were protested and processing was delayed. Initial review of the applications resulted in some renumbering and consolidation of applications as described on the IWRB Recharge Contested Applications summary sheet found in each of the remaining active application files. Protests for two of the active applications were resolved in 2017 and permits were issued for 1-7142 and 1-10609. Of the 20 originally advertised applications, applications 1-10612, 1-10613, 21-7577, 21-7578, 21-7580 and 21-13160 remain active and pending resolution.

Many of the protests received in 1998 were for all or many of the 20 applications. The original common protests are located in water right file 1-7142, the lowest number application following renumbering and consolidation of applications. In order to be confident all the protestants and intervenors were correctly identified for each application, a thorough research of all of the application files was conducted in 2017.

I reviewed documents from original water right files 1-7131, 1-7132, 1-7136, 1-7137, 1-7139, 1-7140 and 1-7141; combined water right file 1-10613; and associated files for applications submitted at the same time to determine the history of each protest related to active application 1-10613. The review identified eight remaining active protestants and two intervenors as shown on the spreadsheet dated August 29, 2017 labeled as an attachment to this memo.

Water Right file 1-10613 includes copies of six protests and one petition to intervene filed in 1998 following initial advertising of the 20 applications listing original application numbers 1-7131, 1-7132, 1-7136, 1-7137, 1-7139, 1-7140 and 1-7141. These documents are located in chronological order on the bottom of the right side of the file. Three additional protests and one petition to intervene were filed following the 2013 advertisement of the consolidated application listing 1-10613. These documents are located chronologically on the right side of the file following the advertisement affidavits of publication received in 2013.

Active Right Number	Original Right Number	Protestant or Intervenor Name	Protestant or Intervenor P/I	Date Protest or Intervene Received	Readvertised? Y/N	Date Advertised or Readvertised	Date Letter Requesting Reconfirmation of Protest Sent	Date Protest Reconfirmed as Letter Requested	Date Protest Withdrawn or Resolved	Active Protest Y/N
1-10613	1-10613	A&B, Burley, Milner. Minidoka Irr Districts; NSCC & TF Canal Co; & AF Reservoir District #2	P	5/20/2013	N	5/2/2013				Y
1-10613	1-10613	Idaho Conservation League	P	5/20/2013	N	5/2/2013				Y
1-10613	1-10613	Freemont Madison Irr Dist	P	5/20/2013	N	5/2/2013				Y
1-10613	1-10613	Trout Unlimited	I	8/28/2013	N	5/2/2013				Y
1-10613	1-7131	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7131	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7131	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7131	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7131	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7131	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7131	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7132	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7132	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7132	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7132	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7132	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7132	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7132	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7136	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7136	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7136	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7136	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7136	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7136	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7136	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7137	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7137	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7137	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7137	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7137	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7137	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7137	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7139	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7139	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y

1-10613	1-7139	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7139	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7139	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7139	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7140	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7140	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7140	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7140	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7140	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7140	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7141	Idaho Power	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/19/2013		Y
1-10613	1-7141	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7141	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/16/2013*	3/25/2013	2/1/2017	N
1-10613	1-7141	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7141	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/16/2013*			Y
1-10613	1-7141	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/16/2013*			Y
In 2013 the 4 modified/combined applications (1-10609, 1-10612, 1-10613 & 21-13160) of the 8 remaining active applications were readvertised. • Rights combined into Right 1-10613 had 6 protestants & one intervenor prior to readvertising on 5-1-2013. • Two protestants reconfirmed their protest of combined Right 1-10613 when responding to letter for 1-10609. • Three additional protests & one intervenor were received following advertising for combined Right 1-10613. • Active Protestants are as identified above. *4/16/2013 proposed letter for 1-10613 not in WR file or scanned documents from 2013 4/16/2013 drafted letter specific to this right doesn't appear to have been mailed ps 8-29-2017										