

MEMORANDUM

Date: November 21, 2017

To: Application for Permit 1-10612

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 1-7133, 1-7134 and 1-7135; combined water right file 1-10612; and associated files for applications submitted at the same time to determine the history of each protest related to active application 1-10612. The review identified nine remaining active protestants and two intervenors as shown on the spreadsheet dated August 31, 2017 labeled as an attachment to this memo.

Water Right file 1-10612 includes copies of six protests and one petition to intervene filed in 1998 following initial advertising of the 20 applications listing original application numbers 1-7133, 1-7134 and 1-7135. These documents are located in chronological order on the bottom of the right side of the file. Four additional protests and one petition to intervene were filed following the 2013 advertisement of the consolidated application listing 1-10612. 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
1-10612	1-10612	A&B, Burley, Milner. Minidoka Irr Districts; NSCC & TF Canal Co; & AF Reservoir District #2	P	5/20/2013	N	5/2/2013				Y
1-10612	1-10612	Idaho Conservation League	P	5/20/2013	N	5/2/2013				Y
1-10612	1-10612	USDI, Bureau of Land Management	P	5/20/2013	N	5/2/2013				Y
1-10612	1-10612	Freemont Madison Irr Dist	P	5/20/2013	N	5/2/2013				Y
1-10612	1-10612	Trout Unlimited	I	8/28/2013	N	5/2/2013				Y
1-10612	1-7133	Idaho Power Co	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/19/2013		Y
1-10612	1-7133	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7133	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/25/2013	2/1/2017	N
1-10612	1-7133	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7133	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7133	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7133	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7134	Idaho Power Co	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/19/2013		Y
1-10612	1-7134	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7134	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/25/2013	2/1/2017	N
1-10612	1-7134	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7134	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7134	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7134	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7135	Idaho Power Co	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/19/2013		Y
1-10612	1-7135	Idaho Fish & Game	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7135	USDI, Bureau of Reclamation	P	7/29/1998	Y	5/2/2013	4/17/2013*	3/25/2013	2/1/2017	N
1-10612	1-7135	USDI, Fish & Wildlife Service	P	7/29/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7135	Idaho Water Users Association Inc	I	12/3/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7135	Idaho Rivers United	P	7/17/1998	Y	5/2/2013	4/17/2013*			Y
1-10612	1-7135	South Fork Lodge	P	8/27/1998	Y	5/2/2013	4/17/2013*			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 1-10612 had the same six protestants & one intervenor prior to readvertising on 5-2-2013. • Two protestants reconfirmed their protest of combined Right 1-10612 when responding to letter for 1-10609. • Four additional protests & one intervenor were received following advertising for combined Right 1-10612. • Active protestants & intervenors are identified above. *4/17/2013 proposed letter for 1-10612 not in WR file or scanned documents from 2013 4/17/2013 drafted letter specific to this right doesn't appear to have been mailed ps 8-31-2017										