



United States
Department of
Agriculture

Forest
Service

Ashton/Island Park Ranger District

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208-652-7442
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File Code: 2500
Date: January 5, 2017

RECEIVED
JAN 06 2017

Department of Water Resources
Eastern Region

Bunts & Singles, LLC

225 South 200 East, Suite 300
Salt Lake City, UT 84111

Dear Mr. Peterson

We see that you have filed Application for Transfer 81352 with the Idaho Department of Water Resources (IDWR). This Application is to change the Place of Use for water right 21-04071A. The source for this water right is two springs on National Forest System (NFS) land. Apparently one spring is for domestic use and the other spring feeds two ponds on NFS land. The transfer seeks to pipe the domestic spring from NFS land to the cabin that your family moved from NFS land to your adjacent private land. The second spring will be conveyed by ditch to a new pond on private land.

We were not aware of your plans to continue use of these two springs. Our discussions with Justin Peterson were that a new well would be drilled on the private land to supply domestic water at the cabin and water would cease to be diverted into the existing ponds whereby they would naturalize. We also see that the new well was completed September 15, 2016.

You are aware that a special use permit would be needed to authorize the use proposed in Transfer Application 81352. We have had no communication with you or the family about these proposed new uses that would convey water across NFS land to your private land. At the present time you are not authorized to conduct any of the activities on NFS land proposed in this application.

The purpose of this letter is to notify you of our concerns and advise you of the Forest Service requirements for occupancy and use of NFS land. You need to contact us about your proposed new use of NFS land. We will need sufficient detail to evaluate your proposal against two levels of screening criteria and applicable laws and regulations such as the Organic Act (19 U.S.C. 551), Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) and 36 Code of Federal Regulations (CFR) at 251 Subpart B – Land Uses.

By a copy of this letter we are notifying IDWR that you do not have authorization to occupy and use NFS land as described in the documents filed with the department for this transfer and request that they not process this application until this matter can be resolved.

If you have any questions about this matter please contact me at 208-652-7442.

Sincerely,

ELIZABETH DAVY
District Ranger

cc: Idaho Department of Water Resources; Rocky Mountain Environmental Associates

