

Jordan, Blake

From: Del Kohtz [del@idahowatercompany.com]
Sent: Wednesday, January 27, 2016 8:37 PM
To: Jordan, Blake
Subject: FW: Taylor Mountain Water and Sewer District application for transfer.
Attachments: Revised Pages.pdf; Country Club.PPOU.Map.3.pdf

This is fine with me.
Del Kohtz

From: Rob Harris [mailto:rharris@holdenlegal.com]
Sent: Wednesday, January 27, 2016 3:28 PM
To: Jordan, Blake
Cc: Del Kohtz (del@idahowatercompany.com)
Subject: RE: Taylor Mountain Water and Sewer District application for transfer.

Blake:

Attached are the revised transfer pages. Please substitute the revised pages into the document you have. I have also included a map showing the calculation of the PPOU, which is 77.5 acres total within which 14.4 acres will be irrigated.

As for who the applicant should be, the agreement requires that "Seller, on behalf of Buyer, shall file an application for transfer . . ." However, the agreement does not say who the applicant must be. We have decided in this case to have my clients be the applicant and I have worked with Del in preparing the application for transfer. Let's keep TMWSD as the applicant. I've copied Del on this email and he can indicate if he is OK with how we've proceeded.

Let me know if you need any additional information, or if any additional changes need to be made. Thanks for your thorough review of the transfer. Please confirm that you received this email because of the attachments.

Thanks,



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From: Jordan, Blake [<mailto:Blake.Jordan@idwr.idaho.gov>]
Sent: Wednesday, January 13, 2016 9:31 AM
To: Rob Harris
Subject: Taylor Mountain Water and Sewer District application for transfer.

Hi Rob,

I finished a preliminary review of the Taylor Mountain application for transfer and found a few items that need your attention:

As we discussed in my office the place of use needs to be completed by describing the number of acres per QQ for the PPU.

The proposed POD in section 21 appears to be in the SWSWSE instead of the NWSWSE. I would recommend dropping the 10 acre tract for both of the proposed POD's. Also the proposed changes to the rights should include adding a POD (rights 25-14287, 25-14301, 25-14304 and 25-14385).

The season of use (part 1B) for rights 25-14383 and 25-14385 should be 4/01-10/31.

Currently water right 25-14287 is in the name of Patrick and Patricia Duffin, right 25-14304 is in the name of Allen and Chyanne Rasmussen and right 25-14313 is in the name of Kenneth and Margo Neider. Please provide evidence authorizing the applicant to make the requested changes. According to the Idaho Water Company and Taylor Mountain Water and Sewer District purchase agreement. The seller (Idaho Water co.) will be the transfer applicant. Is the purchase and sell agreement in error? Or should Idaho Water Co. be the transfer applicant?

Please submit the necessary changes to the application that are described above by February 1st 2016. If I don't receive the changes by February 1st I will return the application and refund the filing fee.

Let me know if you have any questions.

Blake