

Newbry, Ashley

From: Shannon Tindall-Boyer [stodd@co.gooding.id.us]
Sent: Monday, October 19, 2015 12:50 PM
To: Newbry, Ashley
Subject: RE: update

HI PAM,

THIS SHOULD BE VERY HELPFUL-THANK YOU
SHANNON

From: Newbry, Ashley [mailto:Ashley.Newbry@idwr.idaho.gov]
Sent: Monday, October 19, 2015 12:44 PM
To: PAM WARTHEN <warthenpm@gmail.com>
Cc: bmcmaahan@evanskeane.com; Shannon Tindall-Boyer <stodd@co.gooding.id.us>
Subject: RE: update

Pam,

It would take me a long time to research all of the water rights in question. I may have mentioned to you that we typically rotate days of taking customer inquiries, but these inquiries sometimes turn into projects... The Department charges a fee to do customer research that takes us more than one hour to complete.

To prevent that, I have attached an email previously sent to Mr. Ken Johnson. It shows all of the water rights associated with this case, and also how to research the documents on our website. If you need help researching the water rights, or using our online system, you can also call the person assigned to take water right questions on a given day: 208 287 4800. (I was that randomly assigned person on the day you came into our office.)

If you would like to look-up any of the documents related to Hoffman's or Tindall's water rights, use the process below:

1. Navigate to our website: <http://www.idwr.idaho.gov/>
2. Click "Water Rights Search"
3. Click "I Agree to the Terms of Use"
4. Under "Adjudication, Water Right & Basin or Transfer" Select "Claim/Water Right/Basin" and type in the basin (in this case: 61), sequence (10033, for example) and suffix (a, b, c, etc). Leave suffix blank if there isn't one.
5. Click "Save Search Parameter" and "Start Search." A list of results will appear at the bottom of the page
6. For any of those, click the "Details" and "More Options" links. You will be able to view all of the documents we have on file, along with a map showing each WR's place-of-use.

61-11802 WARTHEN	Domestic
61-11891 HOFFMAN	Stockwater
61-10033a HOFFMAN	Irrigation from Storage The Dept. was in error to change this into the name of HOFFMAN. It should

	still be in the name of TINDALL. Can be changed back to TINDALL upon request.
61-10033b HOFFMAN	Irrigation from Storage
61-10034 HOFFMAN	Irrigation
61-252C TINDALL	Irrigation
61-252D HOFFMAN	Irrigation
61-7738 HOFFMAN	Wastewater

Ashley Newbry

Associate Engineer

Water Rights Permits Section

Idaho Dept. of Water Resources

State Office

322 E. Front Street

PO Box 83720

Boise, ID 83720-0098

(208) 287-4800 X 4846



From: PAM WARTHEN [<mailto:warthenpm@gmail.com>]

Sent: Monday, October 19, 2015 12:07 PM

To: Newbry, Ashley

Subject: Re: update

Hi Ashley...I was able to talk with Shannon on the phone during my "early " lunch. I told her what you have said. She did ask that I ask you in reference what Brian indicated that the IDWR should have a copy of the deed (or sales contract) from Chet to Hoffman. She wondered if you or your office could email a copy of the document or would it be too many pages? If you could do that, I could have you send them directly to her. Her email at work is what she has been using which is....stboyer@co.gooding.id.us Would this be possible for you to accomplish for her? Pam

On Mon, Oct 19, 2015 at 11:20 AM, Newbry, Ashley <Ashley.Newbry@idwr.idaho.gov> wrote:

Pam,

To my knowledge, we don't have any guidance on what water rights should be purchased and sold for. That depends on whatever two parties can agree to amongst themselves. Prices vary greatly throughout the State, depending on the

demand in a given area. The information below is related to the cost of renting water rights through the Water Supply Bank.

Ashley

From: PAM WARTHEN [mailto:warthenpm@gmail.com]
Sent: Monday, October 19, 2015 11:10 AM
To: Newbry, Ashley
Subject: Re: update

Thanks Ashley for the attachments and info on the rental water. I must have mis-communicated about the price of water rights. Shannon, Chet's daughter, asked me to find what a fair price would be to purchase the two water rights that she wants to be transferred to me. Her attorney said this would be information needed in order to move forward. So, do you have information or where we could go to find what those rights would cost to purchase? Pam

On Mon, Oct 19, 2015 at 10:42 AM, Newbry, Ashley <Ashley.Newbry@idwr.idaho.gov> wrote:

Good Morning Pam,

The current rate for renting water through the WSB is \$17.00/Acre-foot per year. In 2018, it will go up to \$20.00/Acre-foot per year.

$6.5 \text{ Acres} \times (4 \text{ AF/Acre}) = 26 \text{ AF}$

Currently, these WR would cost \$442.00 per year to rent from the WSB. In 2018, they would cost \$520.00 per year.

Ashley Newbry

Associate Engineer

Water Rights Permits Section

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From: PAM WARTHEN [mailto:warthenpm@gmail.com]

Sent: Monday, October 19, 2015 8:32 AM

To: Newbry, Ashley

Subject: Fwd: update

----- Forwarded message -----

From: **PAM WARTHEN** <warthenpm@gmail.com>

Date: Mon, Oct 19, 2015 at 7:38 AM

Subject: Fwd: update

To: stboyer@co.gooding.id.us

----- Forwarded message -----

From: **Brian McMahan** <bmcghan@evanskeane.com>

Date: Mon, Oct 19, 2015 at 7:15 AM

Subject: update

To: "PAM WARTHEN" (warthenpm@gmail.com)" <warthenpm@gmail.com>

Hi Pam:

I got your voicemail from last Friday evening. No, I do not have a copy of the deed (or sales contract) from Chet to Hoffman, but IDWR will have it, and it is a public document so Shannon and her atty can get a copy of it. In all of this mix, remember that Hoffman claimed Water Right #61-10033A and IDWR mistakenly put it in

his name, but Ashley has admitted that it should not be in his name so we still need to get Shannon to deed both 61-10033A and 61-252C to you in her capacity as Chet's PR.

As to the value of the water rights, you can ask Ashley at IDWR and have her compare the price that would have to be paid to rent that amt of water. If you need more info on value, I can make some calls and see what I can find out, but basically it is an open market system---ie, whatever the market will bear. But if Shannon gets 2 people offering to pay fair market value (or close thereto) such as you and Hoffman, then Shannon can pick which of the two buyers to sell to---and then is when she will hopefully pick you to sell to. But, of course, she cannot sell anything unless and until she gets appointed as Chet's PR.

Hope this helps. Let me know if you have further questions. Have a good Monday!

Brian L. McMahan, Of Counsel

Evans Keane, LLP

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P.O. Box 959

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208.384.1800 (voice)

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