

Grimm, Angie

From: Candice McHugh [cmchugh@mchughbromley.com]
Sent: Tuesday, August 18, 2015 11:14 AM
To: Miller, Nick
Cc: Grimm, Angie
Subject: RE: Trail Transfer map

That works fine. Thank you very much.

From: Miller, Nick [mailto:Nick.Miller@idwr.idaho.gov]
Sent: Tuesday, August 18, 2015 8:58 AM
To: Candice McHugh <cmchugh@mchughbromley.com>
Cc: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>
Subject: RE: Trail Transfer map

Candice,

We'll wait for your amendment submittal.

We will condition the transfer with the following condition:

"The diversion and use of water described in Transfer 79305 may be subject to additional conditions and limitations under a separate agreement recorded as Instrument No. 449132 in Elmore County records. The Department is not a party to that agreement and the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder."

Will that work?

Nick.

From: Candice McHugh [mailto:cmchugh@mchughbromley.com]
Sent: Monday, August 17, 2015 10:30 AM
To: Miller, Nick
Cc: Grimm, Angie
Subject: RE: Trail Transfer map

I agree relative to advertising. I will send the transfer to my client to do a Second Amendment to include that area.

As for the document, I've attached it here. It would be great if there was a way to have a condition/comment on the transfer that said "This Transfer is subject to an agreement recorded as Instrument No. 449132 in Elmore County records."

From: Miller, Nick [mailto:Nick.Miller@idwr.idaho.gov]
Sent: Wednesday, August 12, 2015 5:39 PM
To: Candice McHugh <cmchugh@mchughbromley.com>
Cc: Grimm, Angie <Angie.Grimm@idwr.idaho.gov>
Subject: RE: Trail Transfer map

Hi Candice,

I see no need to readvertise the transfer since you are not increasing the acreage, only the PPU.

As for your document, we can certainly keep a copy in the file. How did you envision the document being referenced?

From: Candice McHugh [<mailto:cmchugh@mchughbromley.com>]
Sent: Tuesday, August 11, 2015 11:46 AM
To: Miller, Nick
Cc: Grimm, Angie
Subject: RE: Trail Transfer map

Thank you Nick. To confirm, if we amend the transfer to add the ten acres below we will not need to re-advertise the transfer?

Also, we have a document that the parties have executed and recorded that I was hoping could be referenced in the department files somehow as it relates directly to the transfer and the relationship between Trails and Black Mesa.

From: Miller, Nick [<mailto:Nick.Miller@idwr.idaho.gov>]
Sent: Thursday, August 06, 2015 3:26 PM
To: Candice McHugh <cmchugh@mchughbromley.com>
Subject: Trail Transfer map

Hi Candice,

Here is a map showing the ten acres in the SENW of Section 1 T06S R10E that should be added to the PPU. You can disregard the note that says "update shape".

You can call me if you need to, but I think Angie Grimm will be working with this file now that Kay Walker has retired.

Nick.