

Cox, Sharla

From: Holliday, Michael
Sent: Monday, July 28, 2014 2:50 PM
To: Cox, Sharla
Subject: FW: Protest of Leadore Land Partners Transfer

From: Nicholas E Josten [<mailto:gsense@cableone.net>]
Sent: Wednesday, July 23, 2014 3:56 PM
To: 'Bob Loucks'
Cc: 'Karl Tyler'; 'Rick Linville'; Holliday, Michael
Subject: RE: Protest of Leadore Land Partners Transfer

Bob,

Thanks for this info. I will look it over, talk to Fred Coleman, and get back to you - hopefully this week.

Nick

Nicholas E. Josten
GeoSense
2742 Saint Charles Avenue
Idaho Falls, ID 83404
208-528-6152
gsense@cableone.net

From: Bob Loucks [<mailto:baloucks@centurytel.net>]
Sent: Wednesday, July 23, 2014 3:04 PM
To: gsense@cableone.net
Cc: Karl Tyler; Rick Linville; Michael Holliday
Subject: Protest of Leadore Land Partners Transfer

Attention Nick Josten

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2012.0.2247 / Virus Database: 3955/7398 - Release Date: 07/22/14

RESPONSE TO PROTEST FOR FRED COLEMAN BY NICK JOSTEN

July 23, 2014

Mr. Nick Josten

Geosense

Dear Sir,

I prepared this transfer for Karl Tyler. I am not aware of how it might affect Fred Coleman's hydropower application. I am sorry that you didn't understand the addition of a POD to 74-38. As I'm sure you are aware, 74-38 is currently legally diverted only at LT-5 (*that is where it was decreed in the Lemhi Adjudication*). However, it has been diverted at LT-3 for as long as anyone can remember. All this transfer does is make it legally diverted at LT-3 or LT-5. LT-4 (the diversion between the two PODs in question) is owned by Kent Bird.

I am attaching a BLM map of the ditches on Big and Little Timber Creeks. You can see the diversions in question on the map.

According to your objection, Fred plans to use 74-38, 74-40, and 74-41 for a hydropower project. Is this outside the irrigation season? If it is year around, does Fred have some agreement with Karl Tyler to use the water during the irrigation season? Does Fred's proposal envision getting water from both LT-3 and LT-5?

Without knowing more about Fred's application for a hydropower license, I don't see any way the transfer affects it.

S/Bob Loucks