

Keen, Shelley

From: Keen, Shelley
Sent: Friday, March 14, 2014 9:47 AM
To: 'Jerry Rigby RAR'
Subject: RE: Jefferson Irrigation Co. Ltd 31-7113

Jerry,

Please send us the original. We can proceed based on the PDF, but I will need the original to add to the file.

Shelley Keen
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

From: Jerry Rigby RAR [<mailto:jrigby@rex-law.com>]
Sent: Tuesday, March 11, 2014 2:03 PM
To: Keen, Shelley
Cc: 'Mandy Davis'
Subject: FW: Jefferson Irrigation Co. Ltd 31-7113

Shelly,
Carter asked that I send this on to you. Will you require the original? If so, please let me know and my assistant will send it to you immediately.
Thanks

Jerry R. Rigby
Rigby, Andrus & Rigby Law, PLLC
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440
Tel 208-356-3633
Fax 208-356-0768

From: Jerry Rigby RAR [<mailto:jrigby@rex-law.com>]
Sent: Tuesday, March 11, 2014 1:37 PM
To: 'Fritschle, Carter'
Cc: 'Holliday, Michael'
Subject: FW: Jefferson Irrigation Co. Ltd 31-7113

Carter,
I truly appreciate your help on this. I now believe that I understand the issue much better. However, as you indicated on the email yesterday, because the amended application left off this point, BLM is insistent that we go this way. They assure me that it will be "Painless" and already have proceeded down that road. Therefore, I am filing this Request as stated below to Nick. The reason I'm copying you and Michael is that Nick's email returned with an "out of office" notice.

Again, thanks for your help. I at least feel better about going this route than I did before. Please advise as to what I need to do next with the department.

Thanks

Jerry R. Rigby

Rigby, Andrus & Rigby Law, PLLC
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440
Tel 208-356-3633
Fax 208-356-0768

From: Jerry Rigby RAR [<mailto:jrigby@rex-law.com>]

Sent: Tuesday, March 11, 2014 9:41 AM

To: 'Nick.Spencer@idwr.idaho.gov'

Subject: Jefferson Irrigation Co. Ltd 31-7113

Nick,

After speaking with Carter and review the files he sent to me, I communicated the information to BLM.

From their response, and to make a long story short, my clients have authorized me to execute the attached Request for Removal of Point of Diversion.

Based upon this, I believe that BLM will now withdraw its objections.

Please let me know where I need to actually file this attachment, or can you take this from here?

Thanks

Jerry R. Rigby

Rigby, Andrus & Rigby Law, PLLC
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440
Tel 208-356-3633
Fax 208-356-0768

RECEIVED

MAR 11 2014

DEPT OF WATER RESOURCES

Request for Removal of Point of Diversion

Name of Water Right Owner: Jefferson Irrigation Co. Ltd.

Mailing Address: C/O Patrick Hendren,
724 E 1800 N
Montevue, ID 83435

Phone: (208) 663-4472

Jefferson Irrigation Co., Ltd. is the current owner of all of the water right described in the Idaho Department of Water Resources' records as Licensed Water Right No. 31-7113.

Jefferson Irrigation Co., Ltd. and the United States Bureau of Land Management have determined that Jefferson Irrigation Co., Ltd. was not authorized by the United States Bureau of Land Management to include the well located in T07N, R34E, Section 3, NWNE (Lot 2) as a point of diversion for Licensed Water Right No. 31-7113. Until Jefferson Irrigation Co., Ltd. receives such authorization it may not access the well to use it as a point of diversion for Licensed Water Right No. 31-7113.

Jefferson Irrigation Co., Ltd. requests that the point of diversion in T07N, R34E, Section 3, NWNE (Lot 2) be removed from Licensed Water Right No. 31-7113. Removal of the point of diversion in T07N, R34E, Section 3, NWNE (Lot 2) will not alter any of the other elements of the water right.

By requesting that this point of diversion be removed from Licensed Water Right No. 31-7113, Jefferson Irrigation Co., Ltd. does not waive or in any way relinquish its right to subsequently seek to add the well located in T07N, R34E, Section 3, NWNE (Lot 2) as an additional point of diversion for this right, by means of a transfer filed pursuant to Idaho Code Section 42-222, at such future time as the United States Bureau of Land Management should grant authorization to Jefferson Irrigation Co., Ltd. to access it for use as a point of diversion for Water Right 31-7113.

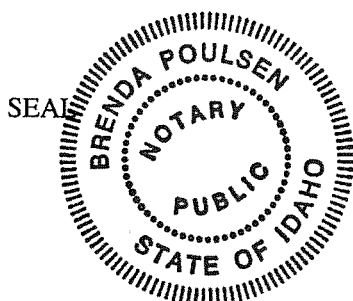

Signature of Water Right Owner or Authorized Representative

3-11-14
Date

JERRY R. RIGBY ATTY FOR JEFFERSON IRRIGATION CO. LTD.
Print Name and Title of Authorized Representative
(Complete if applicable and include your authority to act on behalf of the water right owner)

State of Idaho)
County of Madison) ss

On this 11th day of March, 20 14, the signer of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.



Notary Public

Brenda Poulsen

My commission expires:

8/9/2018