

Merritt, Allen

From: Merritt, Allen
Sent: Wednesday, July 17, 2013 4:01 PM
To: 'Jim Speck'
Cc: Skaggs, Pam; Keen, Shelley
Subject: RE: FW: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

Jim,

We discussed this matter this morning in our biweekly phone meeting with the state office. Pam has researched the Water Bank records and responded in part to your issues.....

- 2) Review of 37-2627D BCRD WSB activities shows:
 - a. Transfer 78397 portion of 1.3 acres under 37-22807 released from Bank 04-16-2013
 - b. Amended Lease issued 05-28-2013 reflecting untransferred portion of 36-2627D: 0.07 cfs, 3.7 acres & 13.0 af.
 - c. Existing rentals:
 - i. 2012 thru 2013 Baker: 0.02 cfs, 1.0 acre & 3.5 af
 - ii. 2013 thru 2015 Spaulding: 0.02 cfs, 1.0 acre & 3.5 af
- 2.0 acres rented in 2013 & 1.0 rented in 2014 & 2015.
1.7 acre available for release from Bank now
1.0 acre more at the end of 2013 irrigation season
Last 1.0 acre available for release at the end of 2015 season.

We discussed a possible way forward for these transfers since they were filed prior to the processing change. I understand what would be considered is that we would extend the transfer development period for transfer 78396 to 2016. (As you know T78396 moves 3.0 acres) We would approve the transfer initially but describe a staged development limitation in the approval letter. Before approval we would require a staged release of all water remaining in the bank to be filed by the right holder and made part of the record. (One option discussed would be to put the staged use in a condition on the right but decided just to outline the limit in the approval letter.) We would also require that the right holder acknowledge the limitation in a written acknowledgement.

(Shelley and Pam..... if I did not get this right please jump in)

If you could work toward getting the staged release form for the WB and also an acknowledgment letter seems we could move forward. The way we've got things planned, we will issue 78396 first with 78398 involving 0.7 acres to follow a few days after.

Let me know if you have questions.

Allen

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Wednesday, July 17, 2013 3:10 PM
To: Merritt, Allen
Subject: RE: FW: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

Allen,

Please let me know if there will be a way to partially approve T.78396 so portions of the new POU can be irrigated in 2013 - 2015 while the rest remains in the Bank. Thanks.

Jim

-----Original Message-----

From: Merritt, Allen
Sent: Tuesday, July 16, 2013 4:36 PM
To: Speck, James

-----Original Message-----

From: Skaggs, Pam
Sent: Tuesday, July 16, 2013 3:37 PM
To: Merritt, Allen
Subject: RE: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

Allen,

We now have two sets of transfers with WSB rental issues. See attached email regarding the Baker set. I think we have to be flexible where we don't see big concerns with the right holder plunging forward without regard to the WSB rentals. Also, for those transfers in the pipeline prior to the new coordinated processing plan that weren't informed up front by letter of the options. We still need to collect the Request to Release forms that spell out the intentions of the right holder & to document the files. WSB database needs to reflect release dates avoiding any other rentals of remaining portions. I don't know the exact situation for BCRD & would need to discuss.

I have asked Shelley to post the Transfers & Water Supply Bank Coordinated Processing guidance with template letters on WEnet/WR Permits Section for everyone's easy accessibility. We need to address this issue at the beginning of the transfer process & then follow-thru with the options/limits.

Call me if you have time before 4:00 or we can discuss in the morning meeting.

Pam

-----Original Message-----

From: Merritt, Allen
Sent: Tuesday, July 16, 2013 2:57 PM
To: Skaggs, Pam
Subject: FW: RE: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Tuesday, July 16, 2013 2:55 PM
To: Merritt, Allen
Cc: Jim Keating; Eric Rector
Subject: RE: RE: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

Allen,

Of the remaining 3.7 acres leased to the WSB, 2.0 acres are rented through the end of the 2013 season, and 1.0 acre is rented through the end of the 2015 season. We can release the 0.7 acre for Transfer 78398 right now so it can be approved. We would like to release the other 1.0 acre that is not rented and use it at the POU for Transfer 78396 in 2013, and the total of 2.0 acres which are not rented for 2014 & 2015 and use it at that POU. Is there a way to do that or must we wait until the 2016 irrigation season to get 78396 approved and start irrigating those 3.0 acres?

Jim

-----Original Message-----

From: Merritt, Allen

Sent: Tuesday, July 16, 2013 2:11 PM

To: Jim Speck

Under current processing procedure I cannot approve them unless they release the rights from the bank.

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]

Sent: Tuesday, July 16, 2013 1:26 PM

To: Merritt, Allen

Cc: Jim Keating; Eric Rector

Subject: Re: BCRD/Water Right 37-2627D - Transfer Applications 78396 & 78398

Allen,

As soon as I find out when BCRD intends to start using this water pursuant to the approve transfers I'll get the WSB release request signed and filed. Thanks for the reminder.

Jim

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Attachment(s): RE: Baker - WSB & Transfer 78405.msg; WEnet/Water Rights Permit Section - Transfers & WSB Processing.msg