

Erick Powell

From: Van Bussum, Monica <Monica.VanBussum@idwr.idaho.gov>
Sent: Thursday, March 28, 2013 9:26 AM
To: Erick Powell
Subject: RE: Teton Ranch Water Bank Follow Up

Hi Erick,

As you so rightly pointed out, my reasoning below is wrong. After subtracting the amount authorized under the water rights in the 688.9 group, that leaves 358.9 acres that would be authorized under 22-616 if you just look at that group.

So, let's look at the 736.3 group.

22-13016 + 22-312 + 22-487C = 253 ac
22-616 = 400 ac
22-42 = 40 ac
22-160 = 160 ac
22-545 = 90 ac
22-13160 = 40 ac
Total: 983 ac
Authorized limit under water rights: 736.3 ac

736.3 – 253 ac = 483.3 acres
483.3 acres – 40 ac (22-42) = 443.3 acres
443.3 acres – 160 acres (22-160) = 283.3 acres
283.3 acres – 90 acres (22-545) = 193.3 acres
193.3 acres – 40 acres = 153.3 acres

Since we have 153.3 acres remaining in the group and have not subtracted 22-616, this would lead me to believe that 22-616 is "worth" 153.3 acres. Given this reasoning, it would appear we could have accepted 153.3 acres into the Bank and should not have rejected the lease application for 22-616, but should have approved it with a smaller acreage. Since that appears to be the case, you could reapply for your client and we would not charge the lease application fee – we shouldn't charge to redo our mistakes. You'll want to keep this email for future reference since other staff will be reviewing your next Bank application.

Monica

From: Erick Powell [mailto:erick.powell@brockwayeng.com]
Sent: Wednesday, March 27, 2013 11:15 AM
To: Van Bussum, Monica
Subject: RE: Teton Ranch Water Bank Follow Up

Hi Monica,
Any movement on this? I'm not sure where we stand, as this is your last week. I've been trying to be patient, but I'm not so good at it. Anything that I can get you to finalize this before you leave? Or is this a question that I should take up with Pam?

Thanks,
Erick

From: Van Bussum, Monica [<mailto:Monica.VanBussum@idwr.idaho.gov>]
Sent: Friday, March 22, 2013 12:06 PM
To: Erick Powell
Subject: RE: Teton Ranch Water Bank Follow Up

Hi Erick,

If you look, that group that's limited to 253 is not in the group that's limited to 688.9. I limited my analysis to that smaller, nuclear group before moving to the 736.3 group.

So, let's just look at the 688.9 group.

22-42 = 40 ac
22-160 = 160 ac (which seems oh so appropriate)
22-545 = 90 ac
22-616 = 400 ac
22-13160 = 40 ac
Total: 730 ac
Authorized limit under water rights: 22-42 + 22-160 + 22-545 + 22-616 + 22-13160 = 688.9 acres

688.9 acres – 40 ac (22-42) = 648.9 ac – 160 ac (22-160) = 488.9 ac – 90 ac (22-545) = 398.9 ac – 40 ac (22-13160) = 358.9 ac

This is less than 400 acres and we haven't even subtracted any of 22-616. It looks like my math was a little off yesterday too (it was getting close to 5 o'clock for me too). Do you see the math the same way?

Monica

From: Erick Powell [<mailto:erick.powell@brockwayeng.com>]
Sent: Thursday, March 21, 2013 4:23 PM
To: Van Bussum, Monica
Subject: RE: Teton Ranch Water Bank Follow Up

Hi Monica,
It must be getting close to 5 pm, because I can't make the numbers work.

The suite of rights are limited to 736.3 acres. If we take out the group that has a combined acreage of 253 acres, that leaves us with 483.3 acres (well below the combined limit of 688.9 acres). If we then exclude 330 acres (#160 for 160 acres, #545 for 90 acres, #13160 for 40 acres, and #42 for 40 acres) that leaves 153.3 acres. I don't get 70 acres ... Where am I going wrong here?

The original applications requested 163.3 acres from the 'Purple Group' and 10.1 acres from the 'Green Group' for a total of 173.4 acres. If 22-616 consists of 153.3 acres of irrigation could we also pull 20 acres from right 22-42 (which also has a priority date of 1916)?

Thanks,
Erick

From: Van Bussum, Monica [<mailto:Monica.VanBussum@idwr.idaho.gov>]
Sent: Thursday, March 21, 2013 3:51 PM
To: Erick Powell
Subject: RE: Teton Ranch Water Bank Follow Up

Hi Erick,

I've been looking and I have some thoughts.

22-42 = 40 ac
22-160 = 160 ac (which seems oh so appropriate)
22-545 = 90 ac
22-616 = 400 ac
22-13160 = 40 ac
Total: 730 ac
Authorized limit under water rights: 22-42 + 22-160 + 22-545 + 22-616 + 22-13160 = 688.9 acres

I don't mention this combination in my letter but it will be important if you want to put a portion of 22-616 into the Bank.

From my letter:

22-13016 + 22-312 + 22-487C = 253 ac
22-616 = 400 ac
22-42 = 40 ac
22-160 = 160 ac
22-545 = 90 ac
22-13160 = 40 ac
Total: 983 ac
Authorized limit under water rights: 736.3 ac

However, as I mentioned, the first group isn't listed in my letter. If we take that limitation into account:

22-13016 + 22-312 + 22-487C = 253 ac
22-42 + 22-160 + 22-545 + 616 + 22-13160 = 688.9 ac
253 acres + 688.9 acres = 941.9 acres
Limitation from above: 736.3 acres

It's taken me this long to try to get a handle on the acreage limiting conditions. I think it's more important that we look at that first group – the most “nuclear” group, if you will.

If we add up the other rights (42, 160, 545, and 13160), they add up to 330 acres. I would take that to mean that 22-616 is worth 70 acres.

Does that make *any* sense?

Monica

From: Erick Powell [<mailto:erick.powell@brockwayeng.com>]
Sent: Thursday, March 21, 2013 10:05 AM
To: Van Bussum, Monica
Subject: Teton Ranch Water Bank Follow Up

Hi Monica,

I know that your time at IDWR is rapidly coming to a close. Have you had any chance to review our discussion from last week?

Thanks,
Erick

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