

Keen, Shelley

From: Keen, Shelley
Sent: Sunday, January 13, 2013 3:57 PM
To: 'Scott Campbell'
Cc: Edl, Michele
Subject: RE: Information Supporting Annual Volume Component of Water License No. 37-08575A

Scott,

A couple more weeks should be fine. I think Michele Edl just forwarded you a revised application for amendment. IDWR usually asks for the completed amendments to be returned within 14 days. My recommendation would be to take a couple of weeks to compare the additional data and analysis to the draft amendment. If the draft amendment seems okay, you can have your client sign it and return it with the filing fee. If the additional data and analysis suggest a change may be in order, we can look at what Brockway Engineering has prepared and decide whether a meeting is needed.

We are making every effort to catch up on our water right licensing backlog, which explains our sense of urgency. At the same time, we want to be sure each license is based on good data and analysis.

Shelley

Shelley Keen
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4947
shelley.keen@idwr.idaho.gov

From: Scott Campbell [mailto:SLC@moffatt.com]
Sent: Friday, January 11, 2013 3:25 PM
To: Keen, Shelley
Cc: charles.g.brockway@brockwayeng.com; 'Charles E. Brockway'; Silva,Tim; Stearns, Peter; smayed@sinclairoil.com
Subject: RE: Information Supporting Annual Volume Component of Water License No. 37-08575A
Importance: High

Shelley:

I was able to coordinate a telephone conference with my clients and Drs. Brockway this afternoon to discuss your email. During the conversation, new information obtained from Peter Stearns, Director of Mountain Operations of the Sun Valley Company, needs to be analyzed by Brockway Engineering, Inc. We do not know what the analysis will show, but before we conclude whether a personal meeting is needed, we would like to review this expected analysis. I was told that the Company can expect to receive this supplemental analysis from Brockway Engineering, Inc. within the next two weeks.

In view of these developments, I would like to defer answering your question and get back to you after we have received and considered the supplemental analysis which Brockway Engineering, Inc. will provide to us. I assume that will not pose a problem to you.

Please let me know if this approach is acceptable.

Thank you for your anticipated cooperation.

Scott

Scott L. Campbell
Moffatt Thomas
www.moffatt.com
slc@moffatt.com
(208) 345-2000

From: Keen, Shelley [<mailto:Shelley.Keen@idwr.idaho.gov>]
Sent: Wednesday, January 09, 2013 1:32 PM
To: Scott Campbell
Subject: RE: Information Supporting Annual Volume Component of Water License No. 37-08575A

Scott,

We've reviewed Dr. Brockway's report, and we are comfortable with his recommendation of 353 AF for the Sun Valley Company snow making right. Because of weather variability, snow making is sufficiently similar to heating and cooling use that we can invoke the "50 year" allowance in Beneficial Use Examination Rule 35.01.j to match conditions in 1976-1977.

Since we already have a meeting of the minds, perhaps we don't need to meet. Let me know.

Either way, I will ask Michele to email you a revised Application for Amendment for your review. The amendment is necessary to correct the place of use description. We can also update the annual volume figure, and we can add a point of injection and point of redirection to describe the commingling of ground water with Big Wood River water.

Regards,

Shelley

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From: Scott Campbell [<mailto:SLC@moffatt.com>]
Sent: Tuesday, January 08, 2013 3:26 PM
To: Keen, Shelley
Cc: 'Silva,Tim'; 'Stearns, Peter'; 'Scott Mayeda'; Charles G. Brockway; 'Charles E. Brockway'
Subject: Re: Information Supporting Annual Volume Component of Water License No. 37-08575A
Importance: High

Dear Shelley:

I am sending you a technical analysis produced by Brockway Engineering, Inc. which supports the annual volume component of the requested Water License No. 37-08575A. As I indicated in prior communications with your office, I would like to meet with the Department officials to discuss this report and evaluate the options for final resolution of the annual volume component for this water license. Charles G. Brockway should also attend the meeting since he prepared the report.

Please let me know when the requested meeting could be scheduled. We will coordinate our calendars with Dr. Brockway's and respond to you with an acceptable date after you provide use with some possibilities.

Thank you for your assistance regarding this important issue.

Best regards,

Scott

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Keen, Shelley

From: Keen, Shelley
Sent: Tuesday, January 08, 2013 5:48 PM
To: 'Scott Campbell'
Subject: RE: Information Supporting Annual Volume Component of Water License No. 37-08575A

Scott,

Just wanted to confirm that we received the report. We will look it over and get back to you to discuss a meeting time.

Regards,

Shelley

Shelley Keen
Idaho Department of Water Resources
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