

Merritt, Allen

From: Merritt, Allen
Sent: Tuesday, March 23, 1999 12:11 PM
To: Graham, Bill; 'dbrant@deq.state.id.us'
Cc: Merritt, Allen
Subject: Water Right Applications on Billingsley Creek

Transfer 78283
(Formerly 66354)

Last week I had the opportunity to meet with Buckeye Farms and Western Legends regarding protested transfer #4930 in the name of Buckeye Farms. We also discussed their other water rights and applications on the streams and springs in Hagerman Valley. As you may know both of these parties have filed new applications for diversion as follows:

36-08783	Buckeye Farms	Billingsley Creek (Curren Ditch)	15.0 cfs	— withdrawn
36-08784	Buckeye Farms	Billingsley Creek (Buckeye Ditch)	12.0 cfs	— withdrawn
36-08785	Buckeye Farms	Riley Creek (Hunt Ditch)	16.0 cfs	— Permit
36-08786	Western Legends	Billingsley Creek (Curren Ditch)	15.0 cfs	— Application

All propose year round use for Recreation, Wildlife & Aesthetics. Buckeye's also includes Fish Propagation

On initial contacts with some of these party's representatives I was lead to believe that these applications would not divert anymore water than what is currently being diverted under their other rights. My understanding now is that these filings are meant to cover "excess" water that may be identified as a result of reduction of diversion allowances to other users in the Hagerman Valley during the SRBA process. In theory the applicants feel that their new filings, if granted, would allow for additional diversion by them in addition to their existing rights. They understand that during the summer months there is likely no "excess" water but they feel during the non-irrigation season there may be "excess" water not currently diverted under rights acknowledged under the SRBA.

In my initial conversations with you, my misunderstanding of what these applications were intended to be, may have caused me to mis-characterize them.

Please note that all applications are presently protested. To date no conference or hearing into this matter has been scheduled.

If you have further questions regarding these applications please feel free to contact me or contact the applicants directly.

Allen