

Holliday, Michael

From: Ron Troy [rtroy@tnc.org]
Sent: Monday, July 16, 2012 1:02 PM
To: Holliday, Michael
Subject: Beyeler Application

Welcome back Michael – I hope you had a good trip!

I wanted to catch up to you on the application from Merrill that we left at your office on Thursday. As I drove home that evening, I realized we had changed the water right 74-7250B to better reflect what was being irrigated under the original permit, but I failed to change the total cfs of all the water rights combined. Do we need to make that change with respect to the total cfs and have Merrill sign a new application with the correction or are we alright having the correct cfs with each individual right ?

Other notes; (1) on Friday I received a letter from Northwest Farm Credit Services acknowledging that they were aware of Beyeler's Cottom Ranch water transfers and the bank was in agreement with the transfer moving forward. I will forward that letter to you shortly. (2) I have not been able to get a signed letter of approval from Carl and Christine Tyler acknowledging that they are alright with Carl Ellsworth's water right retaining priority in Lemhi Big Springs based on the water right's current priority date. Carl Tyler and his ranch manager Carl Lufkin, have both expressed verbally that they didn't see a problem with what is being proposed. It has just been a chore getting that in writing. Hopefully soon to come.

Please let me know if you have any questions or concerns.

Thanks for your help,

Ron

Ron Troy
The Nature Conservancy
Central Idaho Field Representative
PO Box 611
Salmon, Idaho 83467
rtroy@tnc.org
(208) 220-2266

June 5, 2012

Mr. Michael Holliday
Idaho Department of Water Resources
900 N. Skyline Drive; Suite A
Idaho Falls, Idaho 83402-1718

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Department of Water Resources
Eastern Region

Reg; Beyeler's Cottom Ranch Water Right Application

Dear Michael,

Please find the enclosed "Application for Transfers of Water Rights" for Beyeler's Cottom Ranch. The owners of Beyeler Ranch, in conjunction with The Nature Conservancy, have developed changes in irrigation infrastructure and management that will maintain or improve agricultural production through even delivery of water with better ground coverage and lower labor costs. The project will also enhance critical fish habitat through the elimination of fish passage barriers, and improved connectivity of tributaries to the main-stem Lemhi River. We have been careful to structure the proposed changes in a manner that we feel does not injure any other water users. We are hopeful that you and your agency also determine the changes proposed under this application do not pose any injury to other water users and approve this application.

Summary of proposed changes for Beyeler's Cottom Ranch include;

- A consolidation of Beyeler's use of the LBSC-05, L-58A, L-54 and L-58 ditches to the L-58 irrigation ditch (allowing for the elimination of the L-58A, and L-54 irrigation ditches and the sole use of the LBSC-05 ditch by Y-Livestock Ranch).
- A realignment of the Points of Use on Beyeler's Cottom Ranch to better reflect current water management.

Proposed conditions;

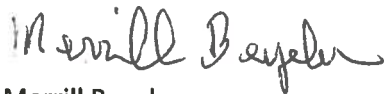
- Currently Beyeler Ranch diverts 3.40 cfs from LBSC-05 (74-2263 and 74-2266) and Y-Livestock Ranch diverts 3.06 cfs from LBSC-05 (74-1651) for a total diversion rate of 6.46 cfs. The ditch conveys water approximately 5 miles to the point of use resulting in conveyance loss. To prevent injury to Y-Livestock Ranch, Beyeler Ranch has agreed to leave 1.0 cfs (0.5 cfs from 74-2263 and 0.5 cfs from 74-2266) of water in the LBSC-05 irrigation ditch to assist Y-Livestock Ranch with conveyance loss of water from point of diversion to point of use.
- Due to the fact that Beyeler Ranches will no longer be diverting water from L-54, L-58A, and LBSC-05 Beyeler Ranch is proposing under this application that a single permissible POU be allowed on the Cottom Ranch in which L-57, L-58 and Lee Creek (see Exhibit B – "Cottom Ranch Conveyance and Acreages") are interchangeable with respect to the relative legal PODs for the various POUs on the ranch. Beyeler Ranch feels this is a reasonable request in that L-57 and L-58 are diverted from the same POD in the Lemhi River just downstream of the confluence of Lee

Creek and the Lemhi River. Beyeler Ranches has agreed that it will not divert more than 2.1 cfs at any given time from their gravity fed system at the Lee Creek POD. It should be noted that Beyeler Ranch is the last water right user on the Lee Creek stream system and diverts Lee Creek water just prior to its confluence with the Lemhi River.

- Beyeler Ranch is proposing that water conveyed out of Slough Springs (a fourth POD on the Cotton Ranch) could be comingled with water diverted from L-57 and used to irrigate the Backroad pasture of approximately 58 Acres (see Exhibit B).
- Beyeler Ranch would like IDWR to rectify the quarter section for the POD on Lee Creek to reflect changes in infrastructure that were constructed under Permit 74-7250B. The legal POD for the diversion point on Lee Creek is the NW quarter of the NE quarter of Section 09, Township 16N, Range 25E.
- Beyeler Ranch would like to rectify the POD for Slough Springs to be in the SW quarter of the SW quarter of Section 34, Township 17N, Range 25 E.

Please contact Beyeler Ranch (Merrill Beyeler) at (208) 940-0223-cell or (208) 768-2651-home, or Y-Livestock Ranch (Carl Ellsworth) at (208) 303-7492-cell or (208) 768-2664-home, or The Nature Conservancy (Ron Troy) at (208) 220-2266-cell, if you have any questions or concerns. Thank you for all of your assistance and your consideration of the proposed changes.

Best Regards,



Merrill Beyeler


Ron Troy

April 27, 2012

Nick Van Dyke
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

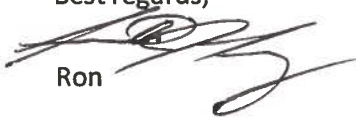
Reg; Beyeler Water Rights (Big Eightmile and Lee Creek Reconnect Project)

Dear Mr. Van Dyke,

First and foremost, thank **you** for your assistance and willingness to explore the complexities of water right transfers and exchanges **needed** to accomplish the conservation outcomes we are trying to achieve with respect to Big Springs, **Big Eightmile** Creek, Lee Creek and the upper Lemhi River, all of which are important waters for ESA listed Chinook salmon, steelhead and bull trout. Based on our discussions I am hopeful that the attached application for transfer of water from L54 to L58 is acceptable to you and the Idaho Department of Water Resources. Also, with respect to other transfers we have discussed, I am hopeful we will be approaching you in the near future with those transfers for Beyeler and Ellsworth Ranches that will achieve the irrigation management and conservation outcomes we are seeking.

Thanks again Nick for your **time** and consideration. Please do not hesitate to contact Merrill or myself if you have any questions or **concerns**.

Best regards,


Ron

Ron Troy
Upper Salmon Field Representative
P.O. Box 611
Salmon, Idaho 83467
(208) 220-2266

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Eastern Region