

Lester, Steve

From: Lester, Steve
Sent: Monday, April 16, 2012 12:03 PM
To: 'Price, Fredric W'
Subject: RE: Transfer Application # 77052

Fred:

Most likely any approval can include standard remarks about private land/no public land. Otherwise, I should not comment on other possible conditions if approval is issued.

Steve

From: Price, Fredric W [<mailto:fwprice@blm.gov>]
Sent: Friday, April 13, 2012 1:57 PM
To: Lester, Steve
Subject: RE: Transfer Application # 77052

Steve,

RE: Transfer #77052, Basin and Range Resources Company, LLC
Involving 63-03182*, 63-03308 (not in SRBA), 63-03583*, 63-07177*, 63-07349*, 63-07903 (not in SRBA)

Thanks for the information, the advertisement looks great. I got a complete copy of the transfer early last year.

Back in 2011, because BLM had objected(*) to the water rights in the SRBA that are involved in this transfer, IDWR wanted to know whether the transfer would create any issues for BLM. I filled out a Recommendation Form on 01-05-2012 to provide that input, which you evidently received on 01-09-2012. Can you tell me whether the two PODs will be described down to the 10 acre tracts as that is private land, and if IDWR intends to include the U42 condition for the POU's? Does implementation of the 01-09-12 comments depend on whether the transfer applicant accepts them?

I have to decide whether or not to protest now due to some statements made by Hofstetter at the last couple SRBA Status Conferences. She was advocating for some sort of remark (concerning PODs) referring to water supply bank water using some of the PODs referred to in this transfer but on BLM lands outside the place of use, as well as, another remark (concerning permissible place of use) referring to the use of water supply bank water outside the permissible place of use on BLM land in the SESW, SWSE, S15, T06N, R05W. BLM opposes such a suggestion. BLM is renting some water temporarily from the water bank while Basin and Range pursues the possibility of getting an Ag Permit from BLM. It appears that the use of BLM land is only going to be temporary and then the use will end, so we are renting water temporarily. It is possible that BLM won't authorize farming at all, in which case, the water bank water will be used to rehab the land and irrigate the seeding temporarily. I may have to protest this transfer in order to have a say in how this modified remark stuff shakes out.

Fred

From: Lester, Steve [<mailto:Steve.Lester@idwr.idaho.gov>]
Sent: Friday, April 13, 2012 11:07 AM
To: Price, Fredric W
Subject: Transfer Application # 77052

Fred:

BLM CONCERNS

IDWR received your comments on this application on 1/9/2012 regarding the 2/4/2011 amended application. In the event that you want to make additional comments, please see the attached information. A partial copy of the application is attached (deeds etc. are not included). All of the application documents will be scanned and available on the department website by late next week if you want to see them.

Please let me know if you need more information.

Steve Lester
Water Rights Supervisor
IDWR Western Region
208-334-2190