

MEMORANDUM

March 1, 2012

From: Danni M Smith, Technical Specialist II

RE: Water Right Files 34-187A, 34-195D, 34-196C, 34-2480B, 34-2491G
Ownership USDA Farm Services



Pam Skaggs received correspondence on February 23, 2012 from James L Reynolds, USDA Farm Services Agency (FSA) with a Relinquishment of water right to Sunset Trust Organization. Follow-up conversations with FSA clarified that they had no idea how their name became associated with these rights and they asked us to research the records for an explanation.

I researched the ownership through the SRBA process to learn why FSA was shown as a current owner with Sunset Trust on only 5 of the trusts' decrees. The original SRBA decrees were issued on 12-08-1997 in the sole ownership of Sunset Trust Organization. There were no objections filed on these recommendations in the SRBA. When the Amended Partial Decrees – Season of Use/Conjunctive Management were issued on 12-14-2001 IDWR received one for four of the water rights, and two for one right showing Sunset Trust Organization and a separate one showing USDA Farm Services.

I called Diana Delaney, Case Administrator at the SRBA Court today to see why USDA was added on the Amended Partial Decree. She researched the Court records and found USDA was not ever listed as a party on the five claims. Suggested that IDWR may have inadvertently added USDA as an owner in the Supplemental Director's report filed with the Court on 6-24-1999 because of the mailing on one right showing both as owners.

I checked the scanned Supplemental Director's report and found no other owner listed to the claim in the report (attached). Talked with Garrick Baxter, IDWR attorney in Basin 34 and Carter Fritschle, Adjudication Supervisor and neither had any idea why the name was added.

A clerical error occurred when the Court issued the Amended Partial Decree and SRBA staff added USDA as an owner. There is no documentation in either IDWR or SRBA Court records to show USDA should be an owner on these records.

The research results are confirmed by USDA Farm Services conversations and documentation to relinquish any interest in the ownership of these rights. With no ownership documentation to support including FSA as an owner, the water right records will be updated in IDWR data base to reflect full ownership on all the above rights to Sunset Trust Organization. A confirmation letter will be sent to Sunset Trust Organization with a copy to FSA acknowledging the correction.

SUPPORT DATA
IN FILE # 34-187A