

Van Bussum, Monica

From: Rob Harris [rharris@holdenlegal.com]
Sent: Friday, December 02, 2011 11:47 AM
To: Nelson, Dan
Cc: telfordsunvalleyseed@gmail.com; Van Bussum, Monica
Subject: RE: Telford Water Bank Rental Typo

Dan:

Thanks for your time on the phone today. I understand that next week you are going to resend the water bank rental with the typo correction. We will sign it, and remit the fee right away.

Regarding Mark's well, you indicated that you were going to put a note in the file that would allow this well to be added without a new filing or payment of fee once the well has a licensing exam. As we discussed, Mark Telford is a new owner of the property, and the well is in need of some maintenance and repair work. Once that is done, Mark plans on having a licensed water right examiner perform the field exam.

I sincerely appreciate the excellent and thorough work you and Monica have done on this matter. I haven't worked with you before, but hope to do so many times in the future. The water bank program is much better shape now than it was a few years ago, no doubt because of Monica's good work and your good work. Thanks again for your efforts.

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Tuesday, November 29, 2011 9:32 AM
To: Rob Harris
Cc: telfordsunvalleyseed@gmail.com; Van Bussum, Monica
Subject: RE: Telford Water Bank Rental Typo

Hello Rob,

Monica has given me this file to figure out what happened with the errors on the rental application. I have already found that the errors for the well(s) in section 12, were described as being in T5N R26E S12 in the rental application and wasn't noted as Mark's Well. The map with the application didn't show a well in Section 12, but did show the Test Pump well in Section 1. The lease application didn't include a well description for Test Pump well, so I assumed the description

for well in Section 12 was incorrectly describing the Test Pump well. I should have clarified this discrepancy before we moved forward with the rental approval. I am sorry for not checking this out with you before I moved on with the application.

In looking at the well in Section 12, I found that the only wells in this area are for water right permit 34-2486. This permit lapsed at one time and was re-instated, so I will need to check on few things before we can move forward with the rental approval. I am sorry for the delay that adding this well in will cause. I will do my best to get everything taken care of as quickly as possible.

I do have a question that I need to have answered concerning the addition of Mark's Well. There are two wells described in permit 34-2486 in the same general area. One of the wells is located in the section corner where it appears a driveway takes off from a main road. The second well is located approximately 400 feet east of the first well along the driveway. Your map suggests that you want to use the east well for the Water Supply Bank Lease. I just wanted to confirm which well you plan to use or if you plan to use both wells.

Once again I am sorry for my missing that there were multiple new wells on the application.

Daniel A. Nelson
Staff Hydrologist
Planning Bureau
Idaho Department of Water Resources
Telephone # (208) 287-4856
Fax (208) 287-6700 (C/O Dan Nelson)

From: Van Bussum, Monica
Sent: Friday, November 25, 2011 8:32 AM
To: Rob Harris
Cc: telfordsunvalleyseed@gmail.com; Nelson, Dan
Subject: RE: Telford Water Bank Rental Typo

Hi Rob,

How was the ESPA model run done? With the well in the incorrect location, or the correct one?

Monica

From: Rob Harris [<mailto:rharris@holdenlegal.com>]
Sent: Monday, November 21, 2011 4:17 PM
To: Van Bussum, Monica
Cc: telfordsunvalleyseed@gmail.com
Subject: Telford Water Bank Rental Typo

Monica:

I received the Telford Water Bank Rental Approval, and appreciate your attention to it. We recognize that it took some time to work through that, and I know you have plenty to do. Thanks for all of your efforts and Dan's efforts.

Unfortunately, despite my careful review of the documents before I sent them off, I managed to include a typo in the spreadsheet showing the points of diversion for the pump-tested well (we call it the "Big Hole.") as one of the rental PODs authorized to pump the rented water. This typo was carried over to the rental approval. This well was described in my documents as SW/14SE1/4SW1/4 Sec. 1 Twp 05N Rge 26E, but should be SW/14SE1/4SW1/4 Sec. 1 Twp 03N Rge 26E. I apologize for my error, but would prefer to have it taken care of now. The map I submitted shows in in Twp 03N, so I assure you there is no substantive change because we modeled this well in the transfer tool at the correct location. Could you fix the typo and then send us the amended rental agreement?

Additionally, in reviewing this with my client today, we also discussed when he may have the pump equipment installed in the pump-tested well (the Big Hole). While the hope was to have something in place perhaps as early as next year, we now know that it may not be until 2013 or 2014 until that can be done because it will be an expensive project. In the meantime, Mike Telford's son, Mark, now owns land near the Big Hole, and has a well about 1/8 mile to the west of the Big Hole that was drilled under Permit No. 34-2486. This well is operational and is located in the same transfer tool node as the Big Hole, so we think it would be a good idea to add this well as an authorized POD for the rental also. The well is located (and I've triple-checked for typos) in the NW1/4NW1/4NW1/4 Sec. 1 Twp 03N Rge 26E. It is depicted on the attached map as the yellow cross. The Big Hole is the pentagon with the black dot in the middle.

Because it is located in the same node in the transfer tool, there should not need to be any additional analysis to add this well. Let me know if this is possible, or if this creates any additional issues/analysis, but we request that it be added. I could submit an amended application form if you would like.

Again, I apologize for these proposed changes, but appreciate your attention to this. Let me know if you have any questions or concerns.

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Nelson, Dan

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