


Edl, Michele

From: Edl, Michele
Sent: Friday, September 04, 2009 11:36 AM
To: 'Conrad, Vic E'
Subject: RE: 63-10034 Simplot, Caldwell

Mr. Conrad,
You are correct in that you and I worked on this water right at about this time last year. At that time, I had noticed that the maximum rate the Department could license through this right had been limited by the fee paid with proof of beneficial use in 1984. The field examiner had found a higher rate in beneficial use during his 1987 exam. His recommended rate was limited by the fee to 5 cfs. In order to get the full recommended flow rate, an additional fee was needed and your company has provided that fee.

I'm sorry, I don't have a phone number for you. I would be happy to discuss this and other concerns you have about this right over the phone. I will be in the office all day today.

Thanks
Michele

From: Conrad, Vic E [mailto:Vic.Conrad@simplot.com]
Sent: Friday, September 04, 2009 11:09 AM
To: Edl, Michele
Subject: RE: 63-10034 Simplot, Caldwell

Michele,
A question

- 1) I think we filed an amendment approximately 1 year ago to correct this. Are you finding errors with that amendment too? If so, no problem, and we appreciate your thorough review. I just wanted to confirm in my own mind that the permit amendment filed last year was also in error.

From: Edl, Michele [mailto:Michele.Edl@idwr.idaho.gov]
Sent: Friday, September 04, 2009 11:01 AM
To: Conrad, Vic E
Subject: 63-10034 Simplot, Caldwell

Mr. Conrad,

I have completed my licensing review of permit 63-10034. However, I found that the field examiner recommended more points-of-diversion and additional quarter-quarters as place-of-use than had been authorized by the permit. A licensing amendment will be needed. I have drafted it and put it on my supervisor's desk for review. The elements of this water right are spelled out in that document.

Unfortunately, the upcoming Labor Day holiday means that you will not receive a copy of that document until mid-week, at best. This email is just a quick note to let you know that some progress has been made and that I have conveyed a similar progress report to Ray Williams in IDWR's legal staff.

Sincerely,

Michele Edl
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Idaho Department of Water Resources
Water Rights Section
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208-287-4946

9/4/2009