

Skinner, Corey

From: Pat Brown [pat@pblaw.co]
Sent: Friday, August 05, 2011 2:21 PM
To: Skinner, Corey
Subject: permit applications for Jack Brown and Patrick Lee

Corey,

I am sending this e-mail to memorialize our conversation from a few minutes ago. In reviewing the two transfer applications for water from Lost Creek and groundwater, you noted that I have described the place of use with "X's, as the entire Section 34, in Township 8 N., Range 14 E.

My clients and I agree that that should be amended. They own only the southeast quarter of Section 34. Thus the amendment should reflect that they are seeking a permissible place of use on that 160 acres and that the irrigation use will be 15 acres somewhere within that 160 acres. The precise location will be determined after meetings with Fish & Game.

If you need more information or would like me to further clarify, please give me a call.

Pat
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Skinner, Corey

From: Pat Brown [pat@pblaw.co]
Sent: Monday, July 25, 2011 4:18 PM
To: Skinner, Corey
Cc: plee56@hughes.net; Jack Brown (jackbrownsv@gmail.com)
Subject: Water right application for Patrick Lee and Jack Brown

Corey,

I am sending this to follow-up on our discussion about how to proceed under the new process reflected in the July 5, 2011, letter to Patrick Lee and Jack Brown. In short, I was concerned and wanted to let you know my clients would object to any adverse local public interest determination occurring before we have had the opportunity to identify and address any concerns IDWR may have. This concern arose out of the language in the letter indicating IDWR would proceed to make that determination after 30 days expired.

I have discussed this with my clients and am writing to confirm the understanding that we will proceed as follows:

1. IDWR will proceed to publish the applications, which triggers the time for protests, once the 30 days passes on August 4, 2010;
2. IDWR understands that my clients are in discussions with Idaho Fish & Game, and we will be meeting with them in August to work through any particular concerns and suggestions Fish & Game may have regarding the applications. Accordingly, after August 4, we will provide IDWR with additional information regarding the local public interest criteria developed from Fish & Game input. After we provide IDWR with the additional information and subject to any changes in circumstances that may arise if protests are filed, IDWR will schedule further proceedings on the applications.

In the meantime, if you identify any concerns, we would appreciate it if you would share those concerns so that we have time to prepare to address them before you make a determination. Thank you for taking the time to explain the process, and I look forward to providing you with more information once we obtain input from Fish & Game.

Pat

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