

Padilla, Cherie

From: Saxton, Craig
Sent: Thursday, May 05, 2011 7:36 AM
To: Steven M Spencer
Cc: Padilla, Cherie
Subject: RE: 21-07592 vs 21-11504

Steve,

Thanks for taking the time to look into this. I got your voicemail and apologize that I haven't got back to you sooner. Have had a sick kid and was out of the office yesterday and will be out today. But I did want to get back to you and confirm that the information you gave us is exactly what we needed. Thanks! We will move forward with issuing the license on lot 5 and just note in files that 21-11504 no longer provides water to lot 5.

Take it easy,

Craig

From: Steven M Spencer [<mailto:sspencer@fs.fed.us>]
Sent: Tue 5/3/2011 2:23 PM
To: Saxton, Craig
Cc: Padilla, Cherie
Subject: 21-07592 vs 21-11504

Craig and Cherie,

The information I received today from Darby Cikaitoga at the Forest Service in Ashton:

I spoke with Mrs. Garth Pincock (Lot 5) yesterday about their well. She said that when they dug their new well (21-07592), that yes they did sever the tie from the shared well (21-11504). So now Lot 5 and 6 each do have their own well.

I don't know how you want to handle it, but it looks like 21-07592 is exclusive to Lot 5 and 21-11504 is now exclusive to Lot 6 and that there would not be any overlap between the two. Let me know how you would like to proceed and if there is anything else you might need from me.

Thank you. I appreciate your understanding and help.

Steve Spencer
Water Use Specialist (208) 365-7055
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Emmett, ID 83617

----- Message from "Saxton, Craig" <Craig.Saxton@idwr.idaho.gov> on Thu, 31 Mar 2011 15:31:13 -0600 -----

To: "Steven M Spencer" <sspencer@fs.fed.us>
cc: "Padilla, Cherie" <Cherie.Padilla@idwr.idaho.gov>
Subject: Permit 21-7592

Hey Steve,

I have a AJ/Permit question for you. We were about to issue a license for permit 21-7592 which is a permit for domestic use located in Lot 5, Blk Q of Buffalo Summer Home Area around Island Park. When we conducted an overlap analysis we found that right 21-11504 has been partially decreed by the SRBA court for use in Lot 5 and Lot 6, of Block Q. So initially, 21-7592 did not appear to provide any additional beneficial use above that already decreed under 21-11504.

Looking closer, we see that decree 21-11504 has a 1968 priority date but a short season of use of 5/1 to 10/31. Permit 21-7592 has an August 29, 2000 priority date but has a year round season of use.

We had a couple of thoughts. Originally, the thought was to issue and intent to void 21-7592. Then wondered if the intent for 21-7592 was to extend the season of use. Or we thought that perhaps, 21-11504 only served lot 6 now and the USFS applied for 21-7592 to drill a spate well for Lot 5.

Anyway, I was essentially wondering if this was a duplicate filing, or if there is a reason to pursue issuing a license for 21-7592, and if there is, what is the beneficial use of 21-7592 above that of 21-11504?

If you aren't the person to talk to, could you point me in the right direction.

Thanks Steve. Talk to you later,