

Van Bussum, Monica

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Monday, November 15, 2010 10:36 AM
To: Van Bussum, Monica
Subject: RE: 36-2532A, 36-2804A and 36-20840 (Notch Butte) - FOUND
Attachments: Amended Cover Letter WSB.doc; WSB Lease 36-16139 Amendment.pdf; WSB Lease 36-16140 Amendment.pdf

Monica,

I think I got it figured out. I recently submitted amendment lease applications (see attached documents) for water rights that were involved with Transfer No. 76159. I believe these are the ones that we are trying to figure out. This was one of those projects that I got handed and told to fix. So I think the 16139 should be 16839.

Water rights 36-16140 and 36-16839 were just transfer to this new location within the last year. So I do not think any irrigation has occurred under these water rights yet in the new location. Someone contacted me concerning these a few weeks back. I thought it was from the Water Supply Bank, but it may have been from someone else. Maybe it was you (now that I think about it)? I think you wanted a map showing the location of the 11.3 acres.

I hope this resolves the confusion. The attachments have not been changed since I submitted the amendments. I will correct my electronic version on Brockway's network.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, ID 83301
Office: 208-736-8543
Fax: 208-736-8506

From: Van Bussum, Monica [<mailto:Monica.VanBussum@idwr.idaho.gov>]
Sent: Friday, November 12, 2010 5:15 PM
To: Greg Sullivan
Subject: FW: 36-2532A, 36-2804A and 36-20840 (Notch Butte) - FOUND

Okay, found these. I'm still looking for 36-16154.

Monica

From: Van Bussum, Monica
Sent: Friday, November 12, 2010 5:05 PM
To: 'Greg Sullivan'
Subject: 36-2532A, 36-2804A and 36-20840 (Notch Butte)

Hi Greg,

It looks like I have a similar situation with these apps as I do with some of the other Notch Butte lease applications. I am unable to find the lease applications (database entry shows they were received on October 22, 2009). Can you 1) determine if they are still needed and 2) if they are, please send copies?

Thanks and many apologies,

Monica

MEMORANDUM

To: Water Right File No(s). 36-16140 and 36-16839

From: Monica Van Bussum

Date: November 19, 2010

Re: Review of Application to Lease a Water Right to the State Water Supply Bank

PURPOSE/NARRATIVE: On November 18, 2009, the Department received applications to lease all of the above-mentioned water rights to the Bank. On September 13, 2010, the Department granted transfer 76159 and 76160 and returned the lease applications. On October 6, 2010, the Department received amended applications to lease all of the above-mentioned water rights into the Bank.

AUTHORITY TO FILE: The applications were signed by John Lezamiz, a managing member of Notch Butte.

WATER RIGHT VALIDITY: Transfer 76159 and 76160 were granted on September 13, 2010, and would have verified the rights were valid.

INJURY TO OTHER WATER RIGHTS: No injury is evident.

ENLARGEMENT OF USE: No enlargement is evident. Proper rental review will also protect from enlargement.

LOCAL PUBLIC INTEREST:

Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:

The leases appear to be consistent with conservation of water resources in Idaho. The applicant/owner has been operating under an approved permit and a right licensed with the State of Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:

None. See attached email from watermaster – no concerns.

Van Bussum, Monica

From: Yenter, Cindy
Sent: Thursday, November 18, 2010 2:15 PM
To: Van Bussum, Monica
Subject: RE: 36-16839 and 36-16140

Nope. The transfer moving them to the present pou was approved last month, so forfeiture should not be an issue. I do not know how much accrued forfeiture there might be at the former pou. The rights were developed as primary ground water.

From: Van Bussum, Monica
Sent: Wednesday, November 17, 2010 2:46 PM
To: Yenter, Cindy
Subject: 36-16839 and 36-16140

Hi Cindy,

I talk to you easily as much as I talk to the Brockway folks. ☺ Notch Butte has offered 11.3 acres (07S 17E Sec 4 SENE 3.7, SWNE 4.8, SESE 2.8) to the Bank under this base/enlargement pair. Do you have any watermaster comments?
Thanks!

Monica