

Robertson, Jean

**From:** Robertson, Jean  
**Sent:** Tuesday, September 14, 2010 4:04 PM  
**To:** 'Ann Pool'  
**Subject:** RE: 45-14107 diversion rate question

Talked to Allen and he agrees that you should put a number in. You can put the maximum for a particular diversion rate if you wish, but we need a number.

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**From:** Ann Pool [mailto:ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 14, 2010 4:02 PM  
**To:** Robertson, Jean  
**Subject:** RE: 45-14107 diversion rate question

I just read over the SRBA rules on ~~the link below. It does ask for the number of cows, but we don't normally do that as~~ the clients I've worked with are uncertain and looking at a maximum number determined by the cfs requested. Does this make sense?

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Tuesday, September 14, 2010 2:45 PM  
**To:** Ann Pool  
**Cc:** Charles E. Brockway; Erick Powell  
**Subject:** 45-14107 diversion rate question

Ann,

Got your message about why the number 200 cows was put on late claim 45-14182 with the diversion rate of 0.05 cfs. I looked into it a bit, Craig Saxton made the recommendation and in his notes he mentioned that he considered this claim a portion of 45-690. In that original claim, Woodbury did put the number of stock as 200 beef.

Also, in the instructions for filing a domestic and stock water claim in the SRBA there are some diversion rates associated with cow numbers, both dairy and non-dairy. Dairy cows are assumed to drink 35 gallons per day and range cattle 12 gallons per day. These numbers are then multiplied by the cow numbers and the total number of gallons must be under 13,000 gallons per day to be considered a domestic/stock water use. Keep in mind with the moratorium, those are really the only types of water rights we can process at this time without some sort of mitigation.

Here is a link to those instructions and the little table I referred to is on page 5:

[http://www.idwr.idaho.gov/RulesStatutesForms/AdjuForms/PDFs/SRBA D and S FormInstructions20090107.pdf](http://www.idwr.idaho.gov/RulesStatutesForms/AdjuForms/PDFs/SRBA_D_and_S_FormInstructions20090107.pdf)

Hope this helps!

Jeanie

**Robertson, Jean**

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**From:** Robertson, Jean  
**Sent:** Tuesday, September 14, 2010 4:03 PM  
**To:** 'Ann Pool'  
**Subject:** RE: 45-14107 diversion rate question

Ann,

If you look on the permit form that you fill out on-line on the public web-site, number 7b asks for the number and type of livestock for stock water uses? (On the form in the file that you submitted before, that question is under 8b.) You really need to pick an appropriate number of stock to correspond with the diversion rate you ask for. If we determine it is more than would fall under the 13,000 gpd limit, we wouldn't process it without mitigation...

Jeanie

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**From:** Ann Pool [mailto:ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 14, 2010 3:35 PM  
**To:** Robertson, Jean  
**Subject:** RE: 45-14107 diversion rate question

Thank you Jeanie... I'll share this with Erick and Sr.

On 45-690 water right permit, there is no specification of the number of cows, hence my voice mail this afternoon. We used the range cow gpd consumption during our meeting and could see that 0.05 cfs would be more than adequate for a large herd. That's why we wondered where the restriction of 200 head came from on 45-14182 since there's none on 45-690, and you're right, these two water rights are working together to give the animals a year round water source.

So, can we amend 45-14182 without a restriction on the number of cattle?

ann

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Tuesday, September 14, 2010 2:45 PM  
**To:** Ann Pool  
**Cc:** Charles E. Brockway; Erick Powell  
**Subject:** 45-14107 diversion rate question

Ann,

Got your message about why the number 200 cows was put on late claim **45-14182 with the diversion rate of 0.05 cfs**. I looked into it a bit, Craig Saxton made the recommendation **and in his notes he mentioned that he** considered this claim a portion of 45-690. In that original claim, Woodbury did put the number of stock as 200 beef.

Also, in the instructions for filing a domestic and stock water claim in the SRBA there are some diversion rates associated with cow numbers, both dairy and non-dairy. Dairy cows are assumed to drink 35 gallons per day and range cattle 12 gallons per day. These numbers are then multiplied by the cow numbers and the total number of gallons must be under 13,000 gallons per day to be considered a domestic/stock water use. **Keep in mind with the moratorium, those are really the only types of water rights we can process at this time** without some sort of mitigation.

Here is a link to those instructions and the little table I referred to is on page 5:

[http://www.idwr.idaho.gov/RulesStatutesForms/AdjuForms/PDFs/SRBA\\_D\\_and\\_S\\_FormInstructions20090107.pdf](http://www.idwr.idaho.gov/RulesStatutesForms/AdjuForms/PDFs/SRBA_D_and_S_FormInstructions20090107.pdf)

Hope this helps!

Jeanie

**Robertson, Jean**

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**From:** Ann Pool [ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 07, 2010 5:04 PM  
**To:** Robertson, Jean  
**Subject:** RE: Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

WAIT! Chuck Sr. is calling Craig in hopefully this week to make sure about 45-14107... seems he wants to keep it but make changes? please keep it in pending for a few more days... I'll keep you updated...

ann

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Friday, September 03, 2010 10:00 AM  
**To:** Charles E. Brockway  
**Cc:** Ann Pool  
**Subject:** Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Is there anything new on this one? In January of 2009 you sent me a letter stating that Travis Thompson was working with the SRBA court to correct a period of use error on 45-690 and you indicated that 45-14107 may be withdrawn

depending on the results of that. According to the court's website, I can't see where 45-690 has been objected to. I would like to either move forward on this one or have it withdrawn to clean up my backlog. Please let me know what you wish to do. Thanks, Jeanie

**Robertson, Jean**

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**From:** Ann Pool [ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 07, 2010 4:45 PM  
**To:** Robertson, Jean  
**Subject:** RE: Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Thanks Jeanie... go ahead and process 45-14107. That has been our instructions. It will not be withdrawn.

ann

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Tuesday, September 07, 2010 4:16 PM  
**To:** Ann Pool  
**Subject:** RE: Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Thanks, Ann.- I don't think ~~we need anything else but I'll let you know!~~ Jeanie

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**From:** Ann Pool [mailto:ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 07, 2010 3:02 PM  
**To:** Robertson, Jean  
**Subject:** RE: Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Ok... I think what Craig Searle has in mind is to keep 45-14107 in case he increases his cow numbers, which could exceed the stock water on 45-690.

We'd like to leave 45-14107 active. Do you need any other information than this right now? I'll do what I can to help...

Ann

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Friday, September 03, 2010 10:00 AM  
**To:** Charles E. Brockway  
**Cc:** Ann Pool  
**Subject:** Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Is there anything new on this one? In January of 2009 you sent me a letter stating that Travis Thompson was working with the SRBA court to correct a period of use error on 45-690 and you indicated that 45-14107 may be withdrawn

depending on the results of that. According to the court's website, I can't see where 45-690 has been objected to. I would like to either move forward on this one or have it withdrawn to clean up my backlog. Please let me know what you wish to do. Thanks, Jeanie

**Robertson, Jean**

**From:** Ann Pool [ann.pool@brockwayeng.com]  
**Sent:** Tuesday, September 07, 2010 8:22 AM  
**To:** Robertson, Jean  
**Subject:** RE: Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Hi Jeanie –

Same questions I've been asking here... I sent the withdrawal form for 45-14107 to Mr. Searle 3 weeks ago after confirmation that 45-690 changes went through alright, and now there seems to be another change in the making... I apologize for not keeping you informed and will visit w/ Chuck Sr. to see where we are as I was not in the conversation that stopped the withdrawal of 45-14107.

Ann

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**From:** Robertson, Jean [mailto:Jean.Robertson@idwr.idaho.gov]  
**Sent:** Friday, September 03, 2010 10:00 AM  
**To:** Charles E. Brockway  
**Cc:** Ann Pool  
**Subject:** Appl for Permit Moo View Cow Palace - Searle Brothers 45-14107

Is there anything new on this one? In January of 2009 you sent me a letter stating that Travis Thompson was working with the SRBA court to correct a period of use error on 45-690 and you indicated that 45-14107 may be withdrawn

depending on the results of that. According to the court's website, I can't see where 45-690 has been objected to. I would like to either move forward on this one or have it withdrawn to clean up my backlog. Please let me know what you wish to do. Thanks, Jeanie

Robertson, Jean

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**From:** Robertson, Jean  
**Sent:** Wednesday, January 06, 2010 9:51 AM  
**To:** 'Charles E. Brockway'  
**Subject:** FW: App for Permit 45-14107 - Moo View Cow Palace

**Attachments:** img-106103715.pdf

Chuck,  
The following is what I sent last September...

I also noticed that a late claim was filed (45-14182) on 2/2/2009 which seems to seek a priority date of 5/1/1882 for stockwater use from Antelope Spring, Dayley Creek, and Lunch Creek during the non-irrigation season. This seems to cover the stockwater use that permit 45-14107 was seeking, except for the re-charge part. **Does this mean that 45-14107 could or should now be Withdrawn?**

Thanks, Jeanie



img-106103715.pdf  
(49 KB)

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**From:** Robertson, Jean  
**Sent:** Wednesday, September 02, 2009 10:42 AM  
**To:** 'charles.e.brockway@brockwayeng.com'  
**Subject:** App for Permit 45-14107 - Moo View Cow Palace?

Chuck,  
In your letter dated Jan. 12, 2009, you requested that I hold off processing this application because it may be withdrawn. You stated that Travis Thompson was working with the SRBA court to correct an error on right 45-690 regarding the period of use and if successful, 45-14107 would be withdrawn. I checked the court's page for right 45-690 and couldn't see where any motion-to-set-aside or anything else had been filed? Is Travis still pursuing this avenue and do you still wish 45-14107 to be held without processing? Please get back to me on this.  
Thanks, Jeanie