

Van Dyke, Nick

From: Skaggs, Pam
Sent: Wednesday, July 28, 2010 9:30 AM
To: Van Dyke, Nick
Cc: Favreau, Danielle
Subject: FW: Mud Lake Shapes

Importance: High

Nick,

Please take a look at the rights & Danielle's notes below to determine the last authorized shape for each of these sets of rights (see first email). It's important that we don't assume something is correct without verifying the last authorized shape per department records.

Let me know when you have had time to research the rights, what you think is correct. We should probably document your findings for future reference in the files with an explanation of the differing shapes. I know that Tim Luke is knowledgeable about these rights due to some Water Distribution activities & might help clarify or confirm your conclusions. If needed, Danielle can probably help with the shapes when you have the correct ones identified.

Pam

From: Favreau, Danielle
Sent: Tuesday, July 27, 2010 12:16 PM
To: Skaggs, Pam
Cc: Carlson, Dave; Davis, Linda; Holliday, Michael
Subject: RE: mud lake

Hi Pam,

Michael Holiday's email helps explain a few more things but I still do not have a shape for most of the rights in question. I believe that this will require further research by a water right agent to resolve.

Here is some additional things that I found:

- 1) The 3 POUIDs currently tied to Mud Lake Water Users with active large POU flags (LPOU = YES) are tied to the 3 original companies. Owlsey = POUID 674574, Jacket = POUID 674565, Holley = 674563
- 2) In reading the partial decrees for several Mud Lake Water User's rights, it appears that 31-354 is part of the HOLLEY DIVERSION and the LPOU flag should be set to YES and linked to POUID 674563.
- 3) The other rights in question are all Groundwater rights.
 - a. The shape linked to the Irrigation Use of 31-327 (POUID 720393) is the same shape that is in the transfer layer, matches as best I can tell the maps made by Mark Larson in the vault included with the partial decrees, and is a merged shape of the Owlsey, Jacket, and Holley shapes.
 - b. There is a map in the preliminary director's report folder for basin 31 (A012\Directors Reports\RA 8\Basin 31\Prel Dir Report I&O\Layouts\mlwu groundwater.jpg) made by B. Contor. It is titled Mud Lake Water Users Ground Water Rights. It does not match the shape used for 31-327. If it is needed, it may be on Eastern's server.
 - c. In light of Michael Holiday's email, the ground water rights did not qualify as a Large Place of Use therefore the LPOU flag = No and each right would have its POUID.

The question is, do these ground water rights have their own individual shape, the shape associated with 31-327, or the shape identified in the preliminary director's report? I would suspect that as the partial decrees state PLACE OF

USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS INC for these rights, that the same shape for all the rights would be correct.

I believe it is important that the shape that these rights were partially decreed with be identified because this company is not an Irrigation District nor were they decreed under the LPOU statute therefore changes in boundary would require a transfer.

To add to the confusion, the shape associated with the 02 use for 31-332, 31-11430, and 31-11432 is different from any of the above mentioned shapes. There is no shape for 31-322 associated with the Irrigation From Storage Use (03).

The Adj. Files will need to be recalled from the repository if they want to be reviewed. I am unfamiliar with transfers and am uncertain where the electronic copy would be for the preliminary order mentioned in Michael Holiday's email if there is not a copy in the vault files.

I will follow up with IDL regarding their question. I believe that they have what they need but I will check again.

Danielle

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From: Holliday, Michael
Sent: Friday, July 23, 2010 12:01 PM
To: Favreau, Danielle
Cc: Skaggs, Pam; Carlson, Dave
Subject: RE: mud lake

hi Danielle.

here's what I've got so far. dave told me that there's a shape that's currently out there in the transfer layer that may be the one. all the docs associated with the transfer are in boise. the AJ claim files are no longer here at eastern, so I assume they are also in boise. there should be some maps in some of those files. based on the layout I'm looking at that's associated with xfr 72559, it looks like the digital boundary would not be that hard to duplicate, if it comes to that.

I also found some jpegs and shape files that may or may not be helpful on our server:

X:\Layouts\basin 31
X:\basins\B31\claims

I just talked with ernie Carlsen and he provided some additional insight. the claims were originally filed in the names of the Owsley, jacket, and holley canals companies. not sure if they combined to become MLWU before or after the director's reports. also, while the surface water rights qualified for the large pou, the groundwater rights came up short on acres. the combination of all 3 companies was just short of the 25,000 acres required for ground water. that may explain why there are so many large pou numbers. also, I don't think they had the ability at that time to link all the rights to one poud number.

ernie said he thought there was a good summary of some of the pou issues in the findings of fact located in the amended preliminary order issued on 1-21-2010 associated with transfer 73951 (see finding #4). that's all I've got. hope that helps.

michael

From: Favreau, Danielle
Sent: Thursday, July 22, 2010 1:15 PM
To: Skaggs, Pam
Cc: Carlson, Dave; Holliday, Michael
Subject: RE: mud lake

Hi Pam,

Here is what I have found out.

23 Mud Lake Water Rights are missing shapes:

Irrigation:31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-336B, 31-337B, 31-371, 31-7005

Diversion to Storage, Irrigation:31-328, 31-329, 31-330, 31-331
IRRIGATION FROM STORAGE, IRRIGATION STORAGE: 31-354

22 of the 23 rights were involved in Transfer #72559. (31-354 was not on the transfer.)

22 of the 23 rights are version 2 recommendations. (31-354 is not a version 2.)

There appears to be a Special Masters Report involving these rights dated 09/24/2002. (31-354 was not in the report.)

Unfortunately, I have been unsuccessful in tracking down a shape for these rights for the following reasons:

- 1) I have been unable to find a shape for these rights in the recommendation layer. There does not appear to be any version 1 or version 2 shapes.
- 2) On checking the ECVR, there is no POU description for these rights.
- 3) The lack of POU entry in the ECVR is causing the print proof report option fail on my computer. (I think.)
- 4) The maps in the special masters reports and the partial decrees are in black and white and basically illegible.
- 5) There are 9 different shapes for rights associated with the Mud Lake Water Users Inc.
- 6) There is no large POU CD in the drawer in the vault for these rights.

Because there is no POU list in workflow, I do not have anything to generate even a nominal shape from.

I compiled the rights with POUIDs into a spreadsheet.

P:\DFavreau\m_holliday\mudlake.xlsx

I am hoping that someone in Eastern may have the shapes for these rights somewhere. I'm out of ideas.

Danielle

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From: Skaggs, Pam
Sent: Thursday, July 22, 2010 8:53 AM
To: Favreau, Danielle
Cc: Carlson, Dave
Subject: FW: mud lake

Danielle,

The shape appears correctly when accessed through Water Right Workflow, Ad Hoc Data Entry.

It seems that the Information Search tool or query may be the problem.

Pam

From: Skaggs, Pam
Sent: Thursday, July 22, 2010 8:47 AM
To: Carlson, Dave
Subject: RE: mud lake

Dave,

My call had to do with the GIS work. The shape didn't appear to be there for rights when you query with Information Search or apparently on-line. Danielle Favreau brought it to my attention because of a customer call. On Info Search it says "No Place of use associated with the water right number." When I went to Arc Map through the transfer (73951) that has the large pou shape, then queried in ArcMap, all the rights come up as associated with the same transfer shape.

So, there is some disconnect happening. Danielle is going to pursue the problem with GIS folks. I don't know if other large pou's might be affected, but that's the problem with Mud Lake in case others crop-up. Hopefully they will correct the problem before anyone else notices.

Pam

From: Carlson, Dave
Sent: Thursday, July 22, 2010 8:40 AM
To: Skaggs, Pam
Subject: mud lake

Pam

I am pretty sure Ernie wrote an order rejecting that transfer as not needed. Should be in the order listing.

I don't know much after it was protested. I think it was approved in part at one time, then killed off entirely

dave