

Reeder, Jana

From: Brian Higgs [higgs@ida.net]
Sent: Thursday, August 13, 2009 3:27 PM
To: Reeder, Jana
Subject: Fw: WR 1-23

Hi Jana,

I was wondering about the protest and so I asked Candice about it. This is her response, particularly the second sentence.

Thank you

Brian

----- Original Message -----

From: Candice M. McHugh
To: Brian Higgs
Cc: William Parsons ; Becky J. Harvey ; Randy Budge
Sent: Wednesday, August 12, 2009 9:37 AM
Subject: RE: WR 1-23

Brian,

IGWA has not to my knowledge protested any transfer application of SWID. I believe you may be thinking about an objection we had to their water right 1-23A in the SRBA which we settled. We sent Mr. Parsons a settlement on this water right in September of 2008 and have followed-up several times with Mr. Parsons and IDWR regarding the matter. However, it has yet to be filed with the SRBA court. Becky Harvey, my paralegal will track down the status of the document and be in touch.

Thanks

Candice M. McHugh
Racine, Olson, Nye, Budge & Bailey, Chartered
101 S Capitol Blvd., Ste. 208
Boise, ID 83702
(208) 395-0011
cmm@racinelaw.net

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From: Brian Higgs [mailto:higgs@ida.net]
Sent: Wednesday, August 12, 2009 8:35 AM
To: Candice M. McHugh
Cc: William Parsons
Subject: WR 1-23

Hi Candice,

SWID is applying for a permit to add a POD to their WR 1-23. The IDWR tells me that it is being protested. I thought IGWA pulled back the protest on that right. Can you give me additional information concerning this protest?

Thank you,

8/13/2009

Reeder, Jana

From: jhiggs@ida.net
Sent: Wednesday, August 12, 2009 4:22 PM
To: Reeder, Jana
Subject: Re: POD

Attachments: pumpingstationpod.pdf



pumpingstationpod.
pdf (2 MB)

Hi Jana,

Here's the one with the river POD on it, sorry i didn't keep the quality the same.

Jaxon

> Hey Jaxson,
>
> Is this the pipeline pod for the wastewater permit? I believe the
> intention of the transfer is to add the Snake River point of diversion.
> Maybe just add a point to the map where the river meets the ditch and
> send me that map.
>
> Thanks,
>
> Jana
>
>
>
> -----Original Message-----
> From: jhiggs@ida.net [mailto:jhiggs@ida.net]
> Sent: Wednesday, August 12, 2009 9:02 AM
> To: Reeder, Jana
> Subject:
>
> Jana,
>
> Here is the map of the Pumping station location that was requested.
> Let me know if you need anything else.
>
> Thanks!
>
> Jaxon Higgs
>

Reeder, Jana

From: Brian Higgs [higgs@ida.net]
Sent: Wednesday, August 12, 2009 10:20 AM
To: Reeder, Jana
Cc: Skinner, Corey
Subject: Re: Southwest Transfer

Hi,

Yes, please print another Exhibit A. My copy of it would not be as clean as yours. What do I do to verify that the proof report is the original intent of the transfer? You should have received a GIS map with the pumping station and the pipes.

Thank you.

Brian

----- Original Message -----

From: Reeder, Jana
To: Brian Higgs
Cc: Skinner, Corey
Sent: Monday, August 10, 2009 4:34 PM
Subject: Southwest Transfer

Brian,

Here is that map for the point of diversion, go ahead and mark the Snake River POD and send it back to me.

We also needed "Exhibit A" to be the 1-23A proof report not the permit application. Do you want me to go ahead and print one out and mark it "exhibit A"? All I need is positive verification from you that the proof report 1-23A POU is the original intent of the transfer.

We will also be discussing the "objection" of water right 1-23 in the SRBA in our Wednesday morning transfer meeting. I will let you know how that goes.

Thanks-Jana

From: Reeder, Jana
Sent: Tuesday, July 28, 2009 3:00 PM
To: 'Brian Higgs'
Subject: SWID application

Hey Brian,

Actually the application looks pretty good. I have a few suggestion and I realize you have not completed the form, but I will include everything I can think of so we are on the same page.

- 1) Make sure you fill out and address everything on the checklist. Boise is very adamant that it is the "first" page of the new application.
- 2) After the "Name of Representative" are three correspondence boxes. We need to know who will get copies of all correspondences and if Bill Parsons is signing the application we will need "power of attorney"

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documentation.

3) If someone from the board or other South West Irrigation member is signing we may need something in writing documenting their authority to sign on behalf of SWID.

4) Part 1)B for description of right after the change, there is a discrepancy on the af ft amount. Water right 1-23 lists 6725.0 AF, however you have 177,540 AF listed on the application. (Is this a typo?)

5) Also on Part 1)B for the new points of diversion you will need to list all four of the pods, including gov't lot numbers, (One new and three old from WR 1-23) and for the new place of use make sure you check the box "no changes to place of use..."

6) For the Place of Use on Part 2) A submit the proof report of **Water Right 1-23 and name it "Exhibit A "** and that way we know exactly what the new place of use for the transfer application is. (The Part 2)B that you filled out and I answered with the big "no" is only if the water right place of use is being changed/split etc.)

7) I know we discussed using the same maps for this transfer application as for application for permit 45-14183 and that will be fine. We can probably make a copy of those when you bring in the transfer application and filing fee. (The filing fee is based on all the cfs currently being transferred which would be \$2170.00. You may also specify the amount of cfs the new point of diversion will divert and the filing fee will be based on that amount but then the department will include a condition that limits the amount of cfs from that pod on the new water right.)

I have marked up the application you sent and attached it. I hope it is understandable. Let me know if you have any other questions. Call me and we can set up an appointment or just submit the completed transfer application. (Remember to check all the boxes that apply)

Jana

From: Brian Higgs [mailto:higgs@ida.net]

Sent: Friday, July 24, 2009 9:58 AM

To: Reeder, Jana

Subject: SWID application

Hi Jana,

Attached is the application for addition of a POD for the SWID. PLease review it and provide suggestions on what else I need.

Thank you very much.

Brian

8/12/2009

Hi Jana,

Attached is the application for addition of a POD for the SWID. PLease review it and provide suggestions on what else I need.

Thank you very much.

Brian

Reeder, Jana

From: Brian Higgs [higgs@ida.net]
Sent: Wednesday, August 19, 2009 12:17 PM
To: Reeder, Jana
Subject: Fw: SF-5

----- Original Message -----

From: William A Parsons
To: Brian Higgs
Sent: Wednesday, August 19, 2009 12:09 PM
Subject: Re: SF-5

I do not know about Amal protest. The others were resolved and should be on file.

Travis is working on the agreement and it is in semi final form awaiting the word from his clients.

Bill

----- Original Message -----

From: Brian Higgs
To: William A Parsons
Sent: Wednesday, August 19, 2009 12:00 PM
Subject: SF-5

Hi Bill.

I received a call from the IDWR informing me that Travis Thompson has not written an agreement for conditions for SWID to pump water out of the new pumping station. I sent Travis an email asking him if I can help.

Also, an SF-5 has not been filed for the transfer adding the new POD to the SWID 1-23 water right. I have contacted Doug Jones, IDWR, Twin, for information. I understand that IGWA, BLM, and Amalgamated Sugar all filed protests on the SWID surface water right.

If you know the status of either of these items would you please let me know if there is something I can do?

Thank you.

Brian

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