

RECEIVED

APR 13 2010

DEPARTMENT OF
WATER RESOURCES

Summary of Council Water File:

June, 1999	Water right application by Sharlett and/or Robert Leonard # 67-08035 in Sec 11, T16N, R1W. Originally protested by Richard Laine, protest withdrawn. Apparently granted. Sharlett signed off on agreeing to future mitigation for anadromous fish in the Snake River.
Spring, 2009	Kevin sent emails to IDWR
5/29/09	IDWR letter to Kevin, refers to existing water rights in the area held by Leonard (#67-0835, possibly a typographical error) and City of Council (#67-14248). Promised a site visit to check out the impoundment. Refers to limitation on the two referenced water rights – no diversion after June 15 th of any year without prior authorization of the Water Master.
6/8/09	IDWR Interoffice memo from John Falk describing the pond and concerns about dam safety, noted a request to draw down the impoundment.
6/10/09	Letter from John Falk (IDWR) to Timothy Folke (builder of the pond) with a thanks for cooperating with the draw down but don't do it again until you have (1) a valid water right and (2) comply with IDWR dam safety requirements
7/2/09	Application from Timothy Folke for water right, application #67-14975 in Sec 11, T16N, R1W.
Dated 8/14/09 resent 8/20/09	Letter from IDWR to Kevin transmitting copy of Folke application. Kevin received 8/22/09. Letter said comments due by 9/8/09.
8/25/09	Kevin sent response outlining protest, with receipt required. Protest received at IDWR on 8/26/09.
8/25/09	Phone memo by Vicky Music re: Kevin's phone call
9/2/09	Email from Tim Folke to Vicky Music referencing attached pdf of one protest letter from Lloyd Brown.
9/14/09	Email from Tim Folke to Vicky Music re: possible meeting with Mr. Brown re: his protest. References only having received a one protest letter.
9/23/09	Letter from Tim Folke to Mr. Brown regarding his protest.
9/27/09	Email from Tim Folke to Denise Buffington (cc Vicky Music) re: Protest Withdrawal he requested from Mr. Brown. When asked, Mr. Folke told Mr. Brown there was only one protest. What happened to Kevin's letter?
10/21/09	Letter from Tim & Carolyn Folke to Mr. Westra (Water Resources, Western Region) with rebuttal to Kevin's protest.
11/24/09	Notice of Hearing to be held on April 21, 2010 beginning at 9:30 am at IDWR, 2735 Airport Way, Boise ID. Presiding Officer will be Shelley Keen.
11/24/09	Letter to two protestants – John Westra to Kevin Madsen and Lloyd Brown acknowledging receipt of letters of protest, recommending three options for resolution before the hearing or if no response is received, the hearing will proceed as scheduled. Notice of Hearing attached.
11/24/09	Same letter as above except to Tim & Carolyn Folke and enclosing copies of the protest letters plus Notice of Hearing.
2/12/2010	From Gary Spackman, Interim Director: Order Appointing Hearing Officer for the Hearing scheduled for April 21st, 2010. Hearing Officer to be Jeff Peppersack.
2/16/10	Certificate of Service indicating notice was mailed to Folkes', Kevin and Lloyd Brown.