

Walker, Kay

From: Fredric_Price@blm.gov on behalf of Fred_Price@blm.gov
Sent: Wednesday, September 23, 2009 12:59 PM
To: Ridgeway, Renea
Cc: david.negri@usdoj.gov; Shaff, Don; Baxter, Garrick; Conrad, Vic E; gloria.baimbridge@usdoj.gov; Walker, Kay; gray.young@simplot.com; Sherman_Beazer@blm.gov
Subject: Transfer Consent (#75758, #75905): 02-02053, Simplot
Attachments: 02-02053_Transfer-Consent_75758-75905.pdf



02-02053_Transfer
-Consent_7575...

Renea,

RE: Transfer Consent (#75758, #75905): 02-02053, Simplot

DATE EVENT
07-20-2009 NOTICE OF ADMINISTRATIVE PROCEEDING

I just realized that I have a "to-do," and that is a transfer consent letter, now that Simplot has filed two transfers (#75758, #75905) to resolve BLM's objection. Attached is a copy of my Transfer Consent Letter that I just mailed off to Kay Walker over at the Western Regional Office.

IDWR has already filed a NAP with the court to let it know that transfers are in the hopper, so everything is in place (I think) for Allocations to do its thing, and we'll just hang tight for an eventual NCAP.

Fred

(See attached file: 02-02053_Transfer-Consent_75758-75905.pdf)

Fredric
Price/ISO/ID/BLM
/DOI
Sent by: Fredric
Price

09/21/2009 02:46
PM

"Ridgeway, Renea"
<Renea.Ridgeway@idwr.idaho.gov>

To

cc

"Shaff, Don"
<Don.Shaff@idwr.idaho.gov>, "Baxter,
Garrick"
<Garrick.Baxter@idwr.idaho.gov>,
"Conrad, Vic E"
<Vic.Conrad@simplot.com>,
david.negri@usdoj.gov,
gloria.baimbridge@usdoj.gov,
david.gehlert@usdoj.gov

Subject

Re: 02-02053, Simplot(Document link:
Fredric Price (Archive))

Renea,

RE: 09-24-09, 11:00 am, Status Conference: 02-02053, Simplot
Dolan 1-225-383-1099 (654400)

We have a settlement in principle and everything is in the hopper for resolution. BLM issued a Quit Claim Deed and Simplot filed two transfers, Hopefully the future NCAP communicating the completed transfers will resolve BLM's objection.

BLM objected to a mixed ownership POU (BLM/PVT) described as SWSW, S25, T04S, R02E (28.0 acres). The recommendation included 15.63 acres on BLM.

The acres on BLM were conveyed from Simplot to BLM in a deed, but the deed did not reserve the water as intended, so BLM issued a Water Right Quitclaim Deed (IDI-33181/Quitclaim No. ID-2009-0001) to Simplot for the water. In order to resolve BLM's objection, Simplot recently applied for two transfers to move the water off of BLM to two parcels of private land:

(1) 8.0 acres vial transfer #75758; (2) 7.63 acres via transfer #75905 for a total of 15.63 acres off BLM.

Transfer # 75758 (Amended):

Moves 8 of the total of 15.63 acres on BLM from T04S R02E S25 SWSW to T06S R05E S18 SESE 8.0 acres (PVT) (0.16 cfs)

Leave 20 acres on Mixed (leaving 7.63 acres worth of water on BLM)

Transfer # 75905:

Moves 7.63 of the total of 15.63 acres on BLM from T04S R02E S25 SWSW to T05S R04E S33 NENW 7.63 acres (PVT) (0.15 cfs)

Leave 12.37 acres on Mixed (PVT 12.37 acres worth of water)

NOTE: There will still need to be "no fed land" remark for the 12.37 acres remaining on private land within SWSW, S25, T04S, R02E (mixed ownership).

NOTE: There will still need to be and adjustment to the shapefile showing only the 12.37 acres remaining on private land within SWSW, S25, T04S, R02E (mixed ownership).

NOTE: The area of private land in T04S R02E S25 SWSW is 13.36 so the remaining 12.37 acres in that QQ is what is used on private land.

NOTE: POD transfer for the acres off of BLM under transfer #75905 is on private land and transfer #75758 (Amended) is on BLM and JR Simplot attached with the transfer a 1961 ROW to Dean Call.

Fred

"Ridgeway,
Renea"
<Renea.Ridgeway@
idwr.idaho.gov>

09/21/2009 02:26
PM

To
<Fredric_Price@blm.gov>, "Conrad,
Vic E" <Vic.Conrad@simplot.com>

cc

"Shaff, Don"
<Don.Shaff@idwr.idaho.gov>, "Baxter,
Garrick"
<Garrick.Baxter@idwr.idaho.gov>

Subject

2-2053

Good Afternoon,

At the last status conference it appeared that a resolution had been agreed upon. However, I have not seen anything come my way. There is a status conference set for Thursday at 11 pm and so we're wondering if anything new has transpired or if there is a glitch that maybe can be addressed before that hearing so we have something new to tell the Special Master. Please let us know if there is anything the Department can do.

Thanks!

Renea Ridgeway
Paralegal
Office of the Attorney General
Natural Resources Division
Idaho Department of Water Resources
(208) 287-4814 office
(208) 287-6700 fax